

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS

COMMITTEE ON PROVISION FOR THE
DELIVERY OF LEGAL SERVICES

November 19, 1999

10:45 a.m.

Legal Services Corporation
750 First Street, N.E.
Washington, D.C.

COMMITTEE MEMBERS PRESENT:

Hulett H. Askew, Chair
Nancy Hardin Rogers
Edna Fairbanks-Williams

BOARD MEMBERS PRESENT:

Douglas S. Eakeley, Chair
Maria Luisa Mercado

STAFF AND PUBLIC PRESENT:

John McKay, President
Willie Abrams
Bonnie Allen
John Eidleman
Ted Faris
Julia Gordon
Bob Gross
Alan Hausman
Glenn Rawdon
Cindy Schneider
Carolyn Worrell

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1 P R O C E E D I N G S

2 MR. ASKEW: Good morning. This is a meeting of the
3 Committee on the Provision for the Delivery of Legal Services
4 of the board. I'll note for the record that committee
5 members Edna Fairbanks-Williams and Nancy Rogers are here,
6 and we're joined by Maria Luisia Mercado. Doug Eakeley, who
7 is an ex-officio member of this committee, will be joining us
8 in a few moments.

9 The first thing on our agenda -- and this is in our
10 book behind the tab for provisions -- is a call for an
11 approval of the agenda. Before I do that, I'd like to amend
12 the agenda in one way. Item four is report by LSC staff on
13 state planning. I'm going to add item five, a report on
14 competition to be given to us by Mike Genz, which is not on
15 the agenda currently, and then the rest of the agenda will
16 remain the same.

17 So I would make a motion we amend the agenda to
18 that extent.

19 M O T I O N

20 MS. MERCADO: So moved.

21 MS. FAIRBANKS-WILLIAMS: Second.

1 MR. ASKEW: All in favor say "aye."

2 BOARD MEMBERS: Aye.

3 MR. ASKEW: Now, a call for an approval of the
4 agenda as amended.

5 M O T I O N

6 MS. FAIRBANKS-WILLIAMS: So moved.

7 MR. ASKEW: And a second.

8 MS. ROGERS: Second.

9 MR. ASKEW: All in favor say "aye."

10 BOARD MEMBERS: Aye.

11 MR. ASKEW: The approval of the minutes from the
12 committee's meeting of September 17th, the minutes were in
13 the materials. Do I have a motion that they be approved?

14 M O T I O N

15 MS. ROGERS: So moved.

16 MS. FAIRBANKS-WILLIAMS: Second.

17 MR. ASKEW: All in favor say "aye."

18 BOARD MEMBERS: Aye.

19 MR. ASKEW: The minutes are approved. The first
20 item on the agenda is a report by the LSC staff on the
21 program information survey. Ted Faris is here with us and

1 will give us that report. Ted, welcome, and tell us what you
2 can.

3 MR. FARIS: Thank you, Mr. Chairman and members of
4 the committee, for the opportunity to talk with you a little
5 bit this morning about an information survey which we
6 recently conducted.

7 This committee from time to time has expressed an
8 interest in our existing case-service-recording system and
9 has expressed a view, which I think is a fairly widely held,
10 and that is that our existing system for counting cases does
11 not adequately capture the true volume of the work that our
12 grantees do for clients.

13 The purpose of the information survey, which we
14 conducted, was to try to determine what types of activities
15 do our grantees engage in besides that which meets our
16 definition of a case. And also to try to get a sense of what
17 practices our grantees currently have in place for keeping
18 information about those activities.

19 With respect to our existing system for counting
20 cases, there are three areas, in particular, where observers
21 of the system have noted shortcomings. One is as I indicated

1 first of all that there are a number of services which
2 programs provide that don't meet our definition of a case,
3 and, therefore, the existing system does not capture that
4 activity.

5 Secondly, the existing system doesn't tell us much
6 about what our programs are not able to do. In other words,
7 it doesn't tell us how successful our grantees are in meeting
8 the demand for their services or anything about the extent to
9 which our grantees are turning away clients because of
10 inadequate resources and for other reasons.

11 Thirdly, the existing system doesn't tell us
12 anything about the results of our grantees' work. This is
13 particularly noteworthy because of the trend in both federal,
14 state, and local government to emphasize results and also the
15 corporation's own determination to adhere to the government
16 Performance and Results Act. The significance of this is
17 that we need to move away from measuring outputs, like
18 counting cases, towards measuring outcomes, like what are the
19 effects that representing clients has on the lives and legal
20 problems of our programs' clients.

21 The surveying part in a number of areas -- and I

1 will mention briefly, and then I'd be happy to try to answer
2 any questions you might have. First of all, the survey asked
3 programs to tell us whether they have recently participated
4 in or conducted an assessment of legal needs within their
5 service areas. I should mention that we got a good response
6 rate on this survey; over 180 programs, making up slightly
7 more than 70 percent of our current grantees to respond to
8 the survey.

9 Of those, over 100 indicated that they had
10 participated in some sort of legal-needs assessment over the
11 past three years, and quite significantly a majority of those
12 programs that have participated in needs assessments had
13 sought out and involved people living in poverty, who are not
14 current clients of the programs. So many of these needs
15 assessments were actually reaching out beyond the known
16 client population to people who haven't contacted programs to
17 seek help with their legal problems.

18 Not surprisingly, the programs that had conducted
19 needs assessments found that there is a significant amount of
20 unmet legal need across the country. A very small number of
21 programs indicated that the legal need was 20 percent or

1 less, but the majority of programs were estimating in the
2 area of between 75 and 85 percent, and some estimated that in
3 their service areas over 90 percent of potential clients with
4 legal problems were not receiving the assistance of an
5 attorney.

6 The second area in which the information survey
7 inquired was given that some clients do contact the program
8 and receive some assistance what kinds of assistance are they
9 receiving. Is the assistance likely to resolve their legal
10 problem, and what we found was, not surprisingly, that
11 despite the recent emphasis on providing brief counsel and
12 advice through centralized intake systems and other
13 innovative methods, lots of clients have legal problems that
14 would require a greater degree of assistance than programs
15 are actually able to provide.

16 So, specifically, a majority of the programs
17 responding to the survey indicated that they were providing a
18 referral or some information, often not by an attorney or a
19 paralegal, to a client who had a legal problem that really
20 needed the attention of an attorney or a paralegal.

21 Furthermore, a significant percentage of clients

1 who were seeing an attorney or a paralegal and were receiving
2 counsel and advice really needed a greater degree of
3 representation to resolve their problem. Our programs
4 estimated that as many as 50 percent of their clients
5 receiving counsel and advice would actually need a higher
6 level of assistance to resolve their legal problem.

7 The types of assistances will not be a surprise to
8 you, which programs are providing to these clients who might
9 need a higher degree of assistance are the provisional
10 pamphlets and other materials. The provision of oral
11 information. Referrals to other organizations. Pro se
12 clinics and a recent development is the development of Web
13 sites. So 50 programs responding to the survey indicated
14 that they have developed Web sites, which provide a new means
15 for distributing information to clients.

16 The third area in which the information survey
17 inquired was in the area of priorities setting and case-
18 acceptance practices. We were very interested to know
19 whether these days programs are turning away clients by
20 excluding certain case types in their priorities, and we were
21 very interested to learn that a majority of programs have

1 either established priorities or have case-acceptance
2 practices, which exclude certain common types of legal
3 problems.

4 So, for example, half of the grantees responding to
5 the survey indicated that there were types of divorce cases
6 which they routinely did not accept for representation. As
7 you probably know it's fairly common that a program will not
8 accept a divorce for representation if there is no abuse and
9 if there are no children in the family.

10 Furthermore, almost half reported that they don't
11 do a significant number of consumer problems; bankruptcy
12 being a very frequent example, even though a number of
13 programs -- about 15 percent -- indicated that they don't do
14 certain types of evictions or other kinds of land or tenant
15 problems.

16 Lastly, in the area of outcomes, we were pleased to
17 learn through the survey that a significant number of
18 programs, primarily because other funding sources require it,
19 are currently keeping track -- at least, on a partial basis -
20 - of outcomes or benefits to their clients. As you probably
21 know, the United Way has been a leader in this area, and many

1 IALTA programs across the country are considering or have
2 already adopted requirements that programs report the
3 outcomes or benefits to their clients.

4 The Legal Services Corporation is committed to
5 going beyond counting cases, and in the coming months is
6 going to be exploring different possibilities with respect to
7 collecting information about services that don't meet our
8 definition of a case, about collecting information, about
9 people who are turned away or otherwise have unmet legal
10 needs, and, lastly, in collecting some information about
11 outcomes or benefit to clients.

12 So although that concludes my report, I'd be very
13 happy to answer any questions that you might have.

14 MR. ASKEW: Edna.

15 MS. FAIRBANKS-WILLIAMS: Well, to get back to my
16 pet peeve about whether the people in the rural areas are not
17 -- did these -- were they all telephone surveys? Vermont is
18 starting a survey, and LSC was nice enough to give Macro -- I
19 don't know -- 5,000, I think, to do it, and it's completely a
20 telephone survey.

21 Well, yesterday -- or no -- two mornings ago

1 Justice and I decided that we didn't like the way Macro was
2 going to do it, because we have three layers of poor
3 everywhere in the United States. We have the poor who might
4 have a telephone. We have the terribly poor who don't have a
5 telephone and are about to lose the roof over their head
6 within the next five minutes, and then we have the pitiful
7 poor who don't have a home at all.

8 And if you do a telephone survey, you do not get
9 the three layers of poor. Only part of that. So we asked
10 for some focus groups at the local OOA or the Office on
11 Aging, where there could be a call in and poor people could
12 have a say. When you do a random telephone, you could get
13 anybody from a 60,000 person to a person that does get 25,000
14 a year.

15 So we also asked to have an income question in
16 there of how much income they have when they were saying
17 whether they had a serious legal problem or not. So if
18 you're going to look at these surveys, I think, you should
19 look at whether they're completely telephone surveys or not,
20 because if they are, they're not doing anything for the poor.

21 MR. FARIS: Just so I understand -- and I'm sorry.

1 I'm not in a position to tell you at this point how well the
2 programs that conducted needs assessments were getting to the
3 potential clients, who do not have telephones or otherwise --

4 MS. FAIRBANKS-WILLIAMS: Well, I thought I'd bring
5 this up. I do constantly anyway to make sure that they get
6 into the rural areas, and it's something that you should look
7 at.

8 MR. FARIS: Thank you. That's a very good point.

9 MR. ASKEW: Nancy?

10 MS. ROGERS: No questions.

11 MR. ASKEW: Ted, let me ask you in your written
12 report -- and maybe you said this and I didn't hear it -- you
13 have a conclusion at the end what will be done when the
14 survey is completed in terms of what are we going to do with
15 the results of the survey. And maybe you should tell me a
16 little bit about that. I mean, what do you anticipate once
17 the survey is completed we will do as a result of what we
18 collect from the programs?

19 MR. FARIS: The next steps are basically this, Mr.
20 Chairman. We want to do two things. The first one is to
21 test some of the existing methods, and we would try to find

1 resources to commit to working with a number of programs,
2 perhaps, in demonstration projects on collecting information
3 on outcomes or collecting information on applicants for
4 services turned away.

5 The second thing we would do, based on what we know
6 from the survey and what we would likely learn from doing a
7 small number of demonstration projects, is to engage in a
8 dialogue with the field and with other interested parties
9 about the relative costs and benefits of collecting
10 additional information. What we know about the existing
11 case-service-reporting system is that it involves a non-
12 insignificant burden on programs to give us accurate,
13 reliable data about that portion of the work that they do.

14 When we talk about collecting additional
15 information, that, of course, requires additional work, and
16 we need, I think, to have a very careful discussion with lots
17 of people about, first of all, what are the values of this
18 additional information, should we be collecting it on a
19 routine basis, and, secondly, what is the impact on programs
20 of having to provide that information.

21 MR. ASKEW: Okay, good. Doug.

1 MR. EAKELEY: I apologize for getting in here late
2 for your presentation, but what's the timetable for the next
3 step?

4 MR. FARIS: The next step is to try to conduct a
5 couple of demonstration projects in the Year 2000. As I
6 said, we're looking for ways to find resources to do that.
7 We don't want to present an unfunded mandate, as it were, to
8 some grantees.

9 The second step is to have the dialogue, and that
10 is already underway.

11 MR. EAKELEY: I'm -- my advice is to, perhaps, not
12 rush to adopt some outcomes, measurements, but, at least,
13 move with all diligent speed to do that. And, perhaps, look
14 to -- look in other areas to reduce regulatory and reporting
15 burdens but attempt to measure what we know, we're required,
16 and should be measuring, as well, because it should help us
17 make our case to the Congress and to the public in terms of
18 what grantees are doing for their clients.

19 And this, to me, has been and continues to be a
20 very high priority, and, obviously, there's a resource of
21 locations that need to be addressed, as well. But I would --

1 we were talking a bit ago about getting a strategic plan in
2 place with an annual performance plan behind that, and I
3 would expect that with those two will also come a lot greater
4 focus and emphasis on performance measures. And it would be
5 nice if that were in place before our tenures are over.

6 MR. FARIS: We're going to do everything we
7 possibly can to make that happen.

8 MR. ASKEW: I appreciate the real chairman's
9 comments, because that issue is going to be one that this
10 committee, I think, is going to be interested in following
11 throughout the whole next year. So we'll want you to keep us
12 apprised of how things are developing in the work that you're
13 doing.

14 Secondly, I know out of necessity over the last few
15 years we've had to survey programs, send questionnaires to
16 programs, gather data from programs, frequently, on an
17 emergency basis because an issue was developing that we
18 didn't have all the data needed on it. And given the case-
19 service reports and what we were getting in that front, we
20 were required to do some of those things.

21 My hope is that ultimately we'll get to a system

1 where we can simplify and regularize the reporting from the
2 field, so that we'll have all the data we need, so that when
3 those things pop up we don't have to do what we've been
4 required to do; go back and ask additional questions, gather
5 more data on an ad hoc or emergency basis from programs, and
6 you're moving in that direction.

7 It's pretty clear to me, and it's going to take
8 sometime, but the hope is that we'll get there, and at some
9 point in the next -- in the Year 2000, I think, we want to
10 have a discussion, maybe involving some field programs, about
11 are there ways we can simplify, regularize, but get all the
12 data we're required to have and need to have in the way
13 that's most efficient, using new technologies or other things
14 but to make sure that we're doing it the least burdensome way
15 for field programs but the most efficient way for us so that
16 we'll have everything we need.

17 And when those questions or emergencies pop up,
18 we've got it. We don't have to turn around and go back out
19 and ask again for some more information.

20 MR. FARIS: I wholeheartedly agree and,
21 furthermore, I would like to add that we intend to work in

1 consonance with other funding sources so that we are not
2 heading off in our own direction.

3 MR. ASKEW: That's great. Involving the IALTA
4 community or other funders of legal services that we're all -
5 - a dream would be that we're all doing the same thing at the
6 same time. And that was the goal 15 years ago. We never
7 met, but it's still a worthwhile goal to have today.

8 At the risk of embarrassing you, Ted, I know that
9 you're -- I should tell you that all the feedback I get from
10 field programs is very complimentary of your work and your
11 accessibility to programs and the way you've dealt with
12 people who have been through some tough times recently. And
13 I wanted to say that for the record, because I've heard that
14 over and over again, and we appreciate what you're doing, and
15 anything we can do to support and make sure that it
16 accomplishes your goals for that, just let us know.

17 MR. FARIS: Thank you.

18 MR. ASKEW: Alan. There's something on this issue.

19 MR. HAUSMAN: Yes. Three things. I was only going
20 to do two, but the last comment suggested I should do three.
21 One, just so you know, we have formed a working group in the

1 legal services community the core of which was the people
2 that attended a meeting in Dallas with LSC.

3 We've added in the IALTA folks, who have two
4 representatives in that group, and the person that's been
5 doing the most mail -- to come in -- think about this. Ken
6 Smith. Ellen Swade is going to have representatives on that
7 working group to work, hopefully, with the corporation as we
8 go down this performance outcome, performance measures road.

9
10 We held a meeting -- of that group, sort of a
11 hearing to hear from other folks about what their thoughts on
12 the performance measure/outcome-measures issues, and we're
13 following up with that. So -- just so you're aware of that.

14 MR. ASKEW: And we're working in concert on that,
15 together, right?

16 MR. HAUSMAN: Yes. Secondly, I want to echo what
17 you said about Ted, and I just want to say it from a slightly
18 different perspective, which is we at CLASP have worked with
19 Ted on CSRs, JOA stuff, a variety of things, and that working
20 relationship has just been superb, and the information flow
21 has been terrific, and we very much appreciate that. It's

1 helped us a lot, and, I think, that needs to be said and
2 really, Ted has been extremely accessible to us.

3 Third, I had one comment about GPRA, the
4 Performance Result Act, which -- it just struck me the other
5 day. I read through eight GAO reports on GPRA, two of which
6 were detailed discussions of what other agencies have done,
7 including the Department of Health and Human Services and the
8 Department of Labor, both of whom -- and Education -- sorry.

9 All of whom make substantial grants to non-profit
10 organizations. None of them have anything to do with the
11 grant-making process. They're performance measures to meet
12 GPRA.

13 MR. ASKEW: They don't influence the grant-making
14 process?

15 MR. HAUSMAN: Yeah. That is -- they're not looking
16 at what the grantees do. They're looking at what they're
17 doing in the agency, which is just -- now, I haven't looked
18 at all the -- I just looked at -- these are the only GAO
19 reports that exist. I looked at all of them, including one
20 that just came out this week.

21 So it just struck me as quite interesting They're

1 not looking at the grant-making process or that that's not
2 what they're looking at. They're looking at performance of
3 agency staff to meet outcome measures for the agency itself.

4 Now, I realize -- a completely different animal
5 here, and don't misunderstand me -- and I remembered -- you
6 know, I haven't read GPRA act closely. I've read it a little
7 bit quickly. It just struck me as quite interesting.

8 I was trying to see what did other agencies do with
9 their grantees under GPRA, and I started with Head Start,
10 which is very similar to Legal Services. Nothing. Zero.
11 And I looked at a couple of the other places in HHS where we
12 do a lot of work and have a lot of contacts and talked to the
13 grant people there, you know, they don't see it as affecting
14 the grantees. They see it affecting their work, which means
15 there's not a lot of help we're going to get from other
16 agencies so far, which is too bad.

17 MR. EAKELEY: Perhaps their funding is a little
18 more secure.

19 MR. HAUSMAN: No. I'm saying it's surprising to me
20 that that's how they were viewing it, and also I don't think
21 you're going to get a lot of wording in that. But there's

1 one other place we can learn, and it's this.

2 Back in the late '80s, early '90s, there was the
3 beginning of what it is now a fairly substantial development
4 in social services around collaboration, and what was
5 interesting about this development was, if you look at what
6 was driving this development, was to develop outcome measures
7 for social-service agencies, human-service providers, both
8 government and non-government, and to develop ways of working
9 together.

10 We got involved, because we did a piece on
11 confidentiality with the Counsel's State School Officers and
12 National Governor's Association, which they got us to all
13 these meetings, which we kept talking about confidentiality
14 between the agencies. This was another side of CLASP. And
15 it's fascinating.

16 There's a lot of written material out of that
17 experience with other human-service agencies at the state and
18 local level. And a lot of writing has been done in various
19 entities like the Counsel's State School Officers, the
20 National Governor's Association, et cetera, on these things,
21 and I think there is some learning that we can get because of

1 looking at outcome measures.

2 So I'll work with the staff on that. It suddenly
3 struck me the other day that all of that learning was very
4 valuable.

5 MR. ASKEW: Thank you, Alan. That was helpful. We
6 all know each other, but the reporter doesn't know us. So
7 let me ask you if you speak to identify yourself for the
8 reporter's benefit and maybe even come up to the table where
9 there's a microphone. Okay. Any other questions?

10 Thank you, Ted. Don't let this all go to your
11 head. Just keep up the good work.

12 MR. FARIS: Thank you, Mr. Chairman. I think I'm
13 sufficiently embarrassed now that I'll leave.

14 MR. ASKEW: The next item on the agenda is report
15 from the LSC staff on state planning, and Bob Gross is with
16 us again for his regular report to us. Bob.

17 MR. GROSS: Thank you. Honorable Chairman and
18 members of the committee, as I think you're referred to as
19 the real chairman, it's a pleasure to be here again. I have
20 a cold, so I hope you can hear me.

21 The LSC staff and consultants have been really busy

1 since your last meeting.

2 MR. ASKEW: We have a document, don't we, that we
3 should have in front of us? Is it this?

4 MR. GROSS: Yeah.

5 MR. ASKEW: Okay.

6 MR. GROSS: Remember that as I speak what I'm not
7 going to talk about, which was going on contemporaneously,
8 was the competition process.

9 During the time since your last meeting, there were
10 two major initiatives that the state planning -- in the state
11 planning area. You recall at the time of your last meeting I
12 wasn't there, but you heard a report on our efforts to
13 undertake a second technical-assistance initiative. You
14 recall in April we had made \$150,000 worth of grants to the
15 field.

16 The second initiative could not result in grant
17 awards, because those funds were depleted, but, instead, they
18 had to come from management and administration funds, which
19 required intensive work by all of our staff and a special
20 thank you to Suzanne Glasow, who was involved in reviewing
21 all the contracts that were written as a result of that

1 effort, because that was the way we had to go. We could not
2 make grants.

3 The results are contained in the first attachment
4 in this goldenrod Legal Services Corporation Technical
5 Assistance, September 1999, which resulted in arranging
6 \$229,000 worth of technical assistance to 24 states and some
7 national projects, as well. You can look through the list.
8 The second page shows the cumulative result of our technical
9 assistance \$379,000 in the past year.

10 The second effort in September -- I just want to
11 highlight a few of these that I think I'm particularly -- and
12 I think we're all particularly pleased about. We worked with
13 the Management Information Exchange fund raising project to
14 do some work in the south, where, as you know, some of our
15 grantees receive 95 percent of their funds from Legal
16 Services Corporation. There's a terrific need to expand
17 their resources and to strengthen their partnership with the
18 state and local bar.

19 And so our effort there will result in some
20 statewide, private-bar campaigns that Dennis Dorgan, the
21 fund-raising project, will assist with. This group was

1 preceded by trips to Southern states by our staff and working
2 with those states so that they concurred they would go at
3 this in a coordinated statewide manner.

4 And so we really look forward to broadening the
5 partnership in those states and deepening the support and
6 producing, as a result also, the financial expansion that
7 they desperately need.

8 Other grants or rather contracts are going to help
9 some states that seem in some ways a little stuck on their
10 planning. We were able to contract with John Scanlon, who
11 some of you may know, did some excellent work in
12 Pennsylvania. His strength is really leadership development,
13 and so he's going to be doing some work in Tennessee and
14 Missouri.

15 I met the facilitator, as did Cindy Schneider, from
16 Texas, who we're contracting with, who is a wonderful woman,
17 who, I think, has gotten Texas sort of off the dime on
18 planning. By their own admission, they were kind of stuck.
19 There were a year of meetings, but didn't feel they were
20 productive. They hired this person. We were able to support
21 that, and, I think, that there's some progress going on in

1 Texas on the state planning front.

2 Indiana, all four program boards have voted in
3 principle to merge into a statewide program. We were able to
4 contract with John O'Rango, who has done some work in
5 Colorado on their statewide merger to work with the programs
6 in Indiana.

7 Wayne Moore, who you know is sort of the father of
8 hot lines, we were able to buy a little bit of his time to
9 work with Ohio, Virginia, and we hope Kentucky on further
10 development of their access intake systems.

11 Technology, Glenn Rawdon will tell you more about
12 this, but I happened to meet the person we're working with in
13 Oklahoma, who is going to help develop a statewide technology
14 plan for three programs there. It was fascinating. The
15 first thing he talked about with great excitement was
16 integrating technology with the courts, and I thought we
17 picked the right person.

18 Florida, we have a contract with another person,
19 who does leadership development and facilitation, and is
20 going to work with them. They're exploring something
21 interesting, which is -- they're calling it energetic

1 advocacy. I call it sort of how to keep the flame alive in
2 tough times and keep client focused. They're also going to
3 look at configuration in Florida.

4 In the leadership area in Michigan, something
5 interesting we're going to experiment with is doing some work
6 around leadership development as it ties into state planning
7 and as it looks towards board leadership and middle-
8 management leadership, as well as executive leadership.

9 And in Minnesota, in addition to helping them with
10 phase two of their technology plan, we're seeking a study on
11 some work on evaluation systems. In some states where there
12 is a IALTA program that has undertaken a regular round of
13 evaluations. In other states there is nothing. In Minnesota
14 there hasn't been any kind of regular evaluation, and so
15 they're going to look at whether that should be peer
16 evaluation, who should run it, how should it be done.

17 All of these, which have potential for being
18 national models, in the contracts there's language about
19 replicability. So I think in addition to the direct benefit
20 that this work is going to provide to the states involved,
21 we're going to see some additional benefit to the whole

1 community.

2 And I can't emphasize enough how much work the
3 staff put into this, because it required brokering
4 arrangements between programs and contractors, making sure
5 that we targeted states that could benefit from these sums of
6 money and that were ready to move forward. I think I counted
7 in the last few months there are about 20 states that the
8 staff visited.

9 This may -- some of it may be a little bit before
10 your last meeting, but there was a lot of time spent ranging
11 from a day in a program to a week in a state to repeat
12 visits. John Eidleman just back from Virginia, our second
13 trip there. But we're in Mississippi, Alabama, Louisiana,
14 Arkansas, Kentucky, Tennessee.

15 Virginia I mentioned. Missouri several times.
16 Texas. California, I think Anh Tu needs an apartment out
17 there for the amount of time she spent in California.
18 Illinois. We visited the program here in the District. New
19 York. Pennsylvania.

20 A lot of travel, and, I think, that that's
21 resulting in a better understanding of what LSC is getting at

1 through its state planning and a better understanding of
2 where the states are, both in terms of the opportunities that
3 they face, as well as the challenges.

4 So, I think, that this technical assistance is
5 greatly appreciated, and it's making a difference. All of
6 that -- work on that. The travel, I think, made in some ways
7 our state planning decisions this year easier, less
8 controversial. I think people had a better understanding of
9 what was likely to result when we looked at their state
10 planning process.

11 And as in the past, we continue to use sort of a
12 collective approach where through a series of meetings, LSC
13 staff, consultants, discussed each state. We're a year into
14 this process from the date of their state plans. So we're
15 not looking just at their state plans, which are sort of
16 stale now, but by reports that have been submitted since
17 then, by information that we've gained through visits and
18 other communication.

19 And sort of the third set of materials outlines
20 where we ended up with that, but as in the past, three
21 different funding-term lengths. Three-year funding in those

1 states where we've seen significant progress. Two-year
2 funding where we've seen a fair amount of process, but
3 there's some major issues that we think need to be addressed.

4 In some states their configuration is one of those issues
5 and some states it is not.

6 And one-year funding -- and there were two
7 variations this year with that. The first is where a state
8 is going through a reconfiguration process, as in Indiana
9 where they've decided, as in Nebraska, where we decided it,
10 and they're following through on that. In Pennsylvania where
11 it's consistent with the state plan that they ultimately
12 submitted and which we approved.

13 And then the second alternative variation was in
14 Virginia where we have said this time we really do want you
15 to look at this. We told you before we don't have a map. We
16 don't have an outcome, but we've talked for a couple of years
17 about configuration being an issue that we're concerned
18 about.

19 And, in addition, the planning report that we
20 received from Virginia showed in an eight-month period of
21 time some committees were established, but there weren't very

1 many meetings. There's a list in their reports of planning
2 efforts, and they're all ongoing, but there really hasn't
3 been a lot going on. So we've said let's take a real hard
4 look at this, and we don't know the outcome, but it's going
5 to be one-year funding while we work together in your state.

6 I hope you'll be able to say about these decisions
7 the kind things you said about Ted, about all the staff. We
8 really haven't heard a lot of feedback. Most of the places
9 that I've presented this at the NLADA conference before the
10 FCC. The attention turned right to Mike Genz and not to
11 state planning. I hope that means that it's working well,
12 and that it's producing stronger systems, and that people are
13 beginning to see the results of their hard work.

14 MR. ASKEW: Thank you, Bob. Nancy.

15 MS. ROGERS: Yes. It does sound like tremendous
16 progress. And I'm sorry just to jump right into a question.

17 MR. GROSS: Sure.

18 MS. ROGERS: The one-year funding, in one sense the
19 one-year funding here seems to be at the instance of a
20 particular state plan or helpful to the state plan. But we
21 each got a copy of the NLADA board resolution about various

1 kinds of short funding, and it seems to assume that a one-
2 year, short funding is somewhat punitive. Not as punitive as
3 less than a year, but that it's problematic and should only
4 follow certain procedural guarantees.

5 And I'm not sure if this is the right point at
6 which to discuss that, but I'd like --

7 MR. EAKELEY: That's the next item on the agenda.

8 MS. ROGERS: Okay. I'll hold my question then.

9 MR. ASKEW: The president has come to participate
10 in that discussion.

11 MS. FAIRBANKS-WILLIAMS: I had one question. With
12 the state funding -- of course, we're doing a survey in
13 Vermont, and I'm finding fault with their surveys. You
14 already heard.

15 Are you checking that when you do do a state that
16 is already working on state funding or state planning that
17 they are doing a so-called map or whatever to know that
18 they're reaching all parts of the state? I don't know if
19 you've ever seen the map that I did --

20 MR. GROSS: I'm ready for another one. Yes, I
21 have.

1 MS. FAIRBANKS-WILLIAMS: Well, I want to know if
2 other states are just -- say, if they've got a large place
3 like Philadelphia or whatever if they're just operating in
4 Philadelphia and not in the further outreach regions, or if
5 all their cases are within the bus line of the office or if
6 they're getting way out? I know some of them have satellite
7 offices out and some states don't.

8 MR. GROSS: I think you're absolutely right to keep
9 raising this issue, we hear it all the time in almost every
10 state where there is concern that rural clients are not
11 getting the same level of services as urban clients. And --

12 MS. FAIRBANKS-WILLIAMS: Are you asking your state
13 planners what they're doing for that -- to find out what's
14 going on?

15 MR. GROSS: Yes. And, I think, our individual
16 staff could tell you in detail about each state, and I know
17 that Vermont -- and I know what they're undertaking with
18 their study, and, I think, it's a state that needs -- all
19 states need to keep hearing your voice about that. And if
20 they're not hearing ours, we need to make it louder.

21 MS. MERCADO: Along with the rural we've got rural

1 that includes a specific -- cities have on migrant and
2 Native-American client communities, which rural language --
3 variety of other factors, as well.

4 MR. ASKEW: Did you want to say something?

5 MR. MCKAY: Yeah. If I could just say that Bob is
6 aware of a number of specifics, which are not just related to
7 rural versus urban. Cindy Schneider is here, for example.
8 When we looked at some of the planning in the city of New
9 York, we had some real concerns about whether there was
10 coverage amongst the federally funded programs and the non-
11 federally funded programs in New York on Staten Island.

12 And so we tried to bring this analysis from our
13 standpoint -- it is a project being led by state planners, so
14 it's really their leadership, and we've pushed a lot of
15 states to go through that process.

16 If you look at the 981 program letter, the
17 philosophy is there, and I agree with Bob. I think your
18 continuing to push this is very, very helpful. I think we
19 have a lot of situations where you've got program boundaries.
20 They've kind of hardened over time, but when you look at it,
21 we may not have a hundred percent comprehensive, integrated

1 services, and that's what we want them to do.

2 And I have invited, by the way, the Native American
3 group, whom I met with in Long Beach, and I know that --
4 again, Cindy Schneider, who is planning the migrant
5 conference for the spring, we've invited those individuals to
6 become more engaged in state planning and ask questions about
7 filing state plans. Why don't you pay more attention to the
8 Native American communities in your state plan? Why do you
9 have an adequate plan in place to meet the needs of migrants
10 within your state.

11 So, I think, that's a very good question to ask.
12 Of course, your map, which was presented at the Native
13 American conference, was, I think, very well received in that
14 way. But I appreciate it and I hope Bob does.

15 MR. ASKEW: Bob, last year about this time we were
16 criticized somewhat for our failure to interact with field
17 programs as much as we possibly could have before these
18 decisions were made. This year there has been much more
19 interaction, and the feedback letters were very detailed and
20 very explicit.

21 Would it be fair to say that when these decisions

1 were made that they really didn't come as a surprise to
2 programs that we were dealing with, given the amount of
3 interaction this year?

4 MR. GROSS: I would -- at the conclusion of making
5 our decisions, our staff called the state planning contact
6 and as many programs as we could to let them know what they
7 would be reading about. And, I guess, a member of our staff
8 is here, and my sense is that those calls did not get a lot
9 of surprise attached to them with one exception, I guess.
10 There might have been some states who thought that they would
11 get one year and they received two, but I didn't see any
12 surprise --

13 MR. ASKEW: I haven't seen those complaints.

14 MR. GROSS: -- the other way.

15 MR. ASKEW: Well, I think, that indicates that the
16 staff responded to the constructive suggestions we received
17 from last year's process, and the process was improved, if
18 you want to put it that way, this year, and that people may
19 not have been pleased, there may have been some concerns, but
20 they weren't a surprise, given all the interaction that
21 occurred over the course of the year. Doug.

1 MR. EAKELEY: I just wanted to comment. I think
2 that the state planning initiative is very likely to be one
3 of the lasting and most important legacies of the corporation
4 or, at least, of this sort of generation of the corporation.
5 It has profound ripple effects and extends far beyond the
6 meager funding we are able to offer.

7 And it is a legacy -- it becomes one that is due to
8 the truly herculean efforts of the staff and John McKay's
9 leadership and their commitment and the commitment of leaders
10 in the community, who have time and again been truly selfless
11 in putting their clients' interest ahead of other personal
12 and valid interests in making what, for many, represent
13 exponential leaps into an unknown and an unknown led by a
14 corporation, which has hand-to-mouth funding from time to
15 time. But I really do think that the staff are due a great
16 deal of applause, and it makes me feel very proud to be part
17 of this organization.

18 MR. GROSS: Thank you.

19 MR. ASKEW: Thank you, Doug. Very well said.
20 Yeah.

21 MR. MCKAY: I want -- we have a number of our

1 colleagues who are here, and Carolyn Worrell is here. Cindy
2 Schneider. John Eidleman. Willie Abrams. We're missing on
3 two -- and Pat is also missing, but, you know, everyone has
4 done a tremendous job.

5 I got two E-mails from Anh Tu, who is now gone to
6 Vietnam on personal time, and two very important pieces of
7 information. One, that one of the project directors in the
8 Bay Area with whom we've had some difficulty has determined
9 to leave her organization, and in Arizona the IALTA directors
10 have determined to mirror the LSC grant decisions in
11 competition and in our grant decision, which it's possible
12 for IALTA to come in after the fact and say we don't agree
13 with LSC, and we're going to fund the program that you
14 determine not to fund. We're going to make up for it by
15 taking IALTA funds away from the LSC-funded programs.

16 The IALTA programs in Arizona, although as you know
17 because you received the initial correspondence about a year
18 ago, were not on the same page as the corporation, and that,
19 as I just said in my E-mail to Anh, is a tribute to her hard
20 work.

21 What it means after we make grant decisions is that

1 the staff, led by Mike and with Bob's leadership in state
2 planning, have done a tremendous amount of followup, and the
3 work really starts when we make our grant decisions. It
4 feels like -- and you hear the report -- we've made a grant
5 decision in Ohio where we spent a tremendous amount of time
6 in Ohio, working with them, and they've done a great job.

7 So I give the field programs a lot of credit here,
8 our staff, and I want to end by just saying Bob Gross has
9 done an absolutely stupendous job here. It is -- as I said
10 to you earlier today, Nancy, it's not over. We've got a long
11 ways to go, but Bob is the architect in a lot of ways in this
12 process.

13 He took an idea and said, "Here's how it will have
14 to play out in the field. These are the resources we're
15 going to have to bring," and he wrote the philosophy
16 involved. And so I personally owe a lot to Bob Gross, all of
17 us do for his leadership, and it is a remarkable
18 accomplishment.

19 MR. ASKEW: Thank you. Does that meet the Ted
20 Faris standard? I should note, John -- looks great.
21 Returned from Virginia. All his limbs were intact. We're

1 making progress.

2 Thank you, Bob. The next item on the agenda is the
3 competition, report on competition, and Mike Genz is with us.
4 Welcome, Mike.

5 MR. GENZ: Thank you. Good morning, Mr. Chair,
6 members of the committee. You all didn't want to feel good
7 all morning, did you?

8 MR. ASKEW: A dose of reality here.

9 MR. GENZ: Just remember all those wonderful people
10 who are doing that wonderful work out there are also doing
11 competition.

12 MR. EAKELEY: I mean my remarks to extend to the
13 effort that goes into the granting -- the grant-making
14 process also by the way.

15 MR. GENZ: Thank you. When I think back the last
16 couple of years when I was concerned about we weren't getting
17 enough feedback on the competition process, that's taken care
18 of now.

19 I'll deluge you with several handouts. What I'll
20 be talking from is the one sheet that's entitled "Legal
21 Services Corporation Competition Decisions FY 2000."

1 MR. ASKEW: Is it this one, Mike?

2 MR. GENZ: That's right. We have some more in
3 back. What I want to do first is cover the decisions, and
4 then talk a little about the process that went into them to
5 give that some airing.

6 So on that page we have, as you will remember, a
7 very large contingent this year of 217 service areas compares
8 with just a little over a hundred last year. Service areas
9 in competition 165 basic field with 36 migrant and 16 Native
10 American. So we have about 175 applications altogether to
11 deal with.

12 We only got multiple applicants for service areas
13 in two places; one was in Arizona, and that was a result of
14 the reconfiguration work that we had done where we had two
15 new service areas, EZ five, and then AZ six, that combined
16 earlier.

17 So that you had in most service areas two existing
18 programs within those, and one of those programs bid for all
19 of the programs that were up in Arizona. The results are on
20 the sheet. We gave grants to Community Legal Services and to
21 Southern Arizona Legal Aid.

1 In California we had one competition, and that went
2 to our current provider, Legal Aid for the Central Coast.
3 And you had a -- the competition there was a private firm.
4 We visited both of those. Did a capability assessment and
5 made this decision, based on the review panelists' decisions.

6 We have so many areas in competition. We only had
7 73 renewals; renewal applications, and all 73, renewal
8 applications were granted for the full remaining terms. Some
9 of them had one year remaining, and the others two years.

10 With respect to migrant grants, as I indicated
11 there were 36 migrant grants up this year and all were made
12 for one year. That enables us to be able to look at all the
13 migrant grants next year. As you know, there will be a
14 conference coming up in March of the migrant programs, and
15 we'll be able to respond to any feedback from that conference
16 by having the migrant grants up at that time.

17 In California Bay we have one consolidated service
18 area. We'll be granting that service area a two-year
19 funding. We had approximately 10 service areas -- programs
20 that were in competition because of quality concerns that
21 were identified last year in 2000. I'm sorry. In 1999.

1 What happened in those procedures and what will
2 happen again this year for those that were given one-year
3 funding was they're given the letter, identifying our
4 concern, they were asked to respond, did respond, we dealt
5 individually with each of them, and determined that the
6 concerns that we had were resolved, either that it was --
7 that we got further information in some questions, and that
8 took care of our problems, or that programs did different
9 things. Addressed the concerns that we had. So all of those
10 were funded for the full term.

11 The funding decisions, based on quality-assessment
12 concerns that were identified in this year were seven
13 programs receiving one-year funding, three receiving other
14 funding, depending on site evaluations. Two of those are for
15 four months and one of them is for six months. And two
16 service areas to be recompeted.

17 The seven programs that will receive one-year
18 grants the procedure will be the same as it was last year.
19 They will be contacted very soon in writing, and that will
20 begin a dialogue to address those concerns.

21 For the three with shorter terms, we are -- we're

1 going to set up capability-assessment visits as soon as
2 possible in the new year to resolve the concerns that we
3 have, either what was on paper is not truly reflective of
4 what's there, the quality is fine. They will be extended at
5 that point to the term, either the one year or to the full
6 term or, perhaps, we'll have to take other steps.

7 Two service areas, both of which we had done
8 capability-assessments on this period of time will be
9 recompeted. So those are the results.

10 I want to go into a little bit into how our process
11 works. Each proposal was read and evaluated and rated, first
12 by an initial reader. Most of the time that person is the
13 state responsible person. In some cases we have outside
14 readers. When we have outside readers, then the state
15 responsible person reads it again and reviews that evaluation
16 and makes the final decision as to what the term will be.

17 Then there's a secondary review within our office.
18 Three people going over it again and looking at the papers,
19 reading the question "C" to see if the evaluation makes
20 sense. Then I take that step again, reviewing the
21 applications. Then it's given to the president for his final

1 review.

2 As for how the reading is done, it's based on the
3 standards, the American Bar Association standards and the LSC
4 performance criteria. When we started out this in '96, we
5 just gave our reviewers, as we had the applicants, those
6 documents and asked them to do the review on the basis of
7 that.

8 It soon became evident to us that we needed to do
9 more than that, and so what we did is four reviewers, we took
10 each question and we looked at the standards and applied it,
11 and then made statements about how those standards and the
12 criteria should apply to each question.

13 Then in April of 1998 we provided that information,
14 as we still had terms of the evaluation guidelines, which
15 gives -- which boils this information down to what are the
16 elements for each element of the narrative that we're looking
17 for we've derived from the standards and derived from the
18 performance criteria. This is a document that we published
19 in '98 that's -- that we refer to in each of our competition
20 packages that gives guidance for this.

21 What we tell our reviewers this is the -- this is

1 the standard information. By all means, feel free to read
2 the document and see should there be an exception in this
3 case. Is there something that maybe isn't said that it's
4 ideal in here but for the circumstances of the program, for
5 its history, for his geography, that something else might
6 work or be better.

7 For example, we have very elaborate standards about
8 public/private attorney involvement, about different
9 structures for private-attorney involvement situation, but
10 when you read the application in the small-world program
11 about the executive director, who doesn't have any of those
12 structures but who practiced law in that area for 15, 20
13 years and is able to call people up individually and say,
14 "Jane, Hank, this is a case I know that would be good for
15 you," and when that works and he places hundreds of cases
16 that way then the reviewer is free to say, "This is
17 excellent, even though it doesn't -- isn't within the system
18 or the book."

19 So about four or five things I'd like you to
20 understand about our process. First, I've already talked
21 about is that it's based on the standards and the criteria,

1 and we have tried and will work harder to make that clear.
2 That this is available. It's accessible in this form. And
3 also it's accessible in terms of where the SRPs are out there
4 and were willing to help, want to help, and communicate the
5 dialogue about how this will work better.

6 The second thing I want to specify is that this is
7 a review that's based on the documents that we receive
8 primarily. Also on LSC information -- information we've had
9 from further evaluations or from compliance -- information
10 what have you, but it's based strictly on the sources. It's
11 not based on feeling or sense or rumor or innuendo or
12 anything like that.

13 The next thing I want to mention is that this is an
14 RFP. It's an application for doing work in the future. So
15 programs are free to say we don't have a particular system
16 that's sort of separate from the individual and -- but we're
17 going to establish it. We're working on our intake system,
18 and we're going to do that, and the way evaluators are asked
19 to evaluate that is to say, oh, okay, that's fine. If you
20 can do it, this is prospective, just as an application is
21 prospective. So you get credit for that. If we haven't made

1 that clear, then we need to do that.

2 The next thing, of course, to make clear is that
3 the consequence of a bad written evaluation is short funding.

4 It's not termination of funding. It's we're going to go out
5 there and examine it on the scene. Make sure and be helpful
6 to the extent to which we can.

7 I'll leave it there for the time being and
8 entertain any questions.

9 MS. FAIRBANKS-WILLIAMS: I heard you right to say
10 it was read at least three times by three different people?

11 MR. GENZ: That's correct. It's not -- certainly,
12 to the extent to which the third is mine and maybe the
13 fourth, if there was another reader. I'm not reading every
14 line of it. I'm going back -- I'm going from the evaluation
15 and then going back to individual questions that raise flags
16 and looking at the narrative.

17 MR. ASKEW: Doug.

18 MR. EAKELEY: You mentioned that part of the file -
19 - if it's an existing grantee -- is something that's
20 considered in the evaluation process?

21 MR. GENZ: That's correct. We're -- under the

1 regulation, we're required to and do look at all of the
2 information we have from grant-activity reports to --

3 MR. EAKELEY: Well, I'd like to -- what is the
4 content of that file? What is it? How informative is the
5 background information on a grantee up for a renewed grant?

6 MR. GENZ: We have the annual grantee report on
7 information, such as the staffing and the budget of the
8 organization, and we have their case numbers for all those
9 cases. We have those for all, and we have those analyzed by
10 categories and what have you.

11 Budget is often helpful. Budget information to
12 compare with what they say. If they talk about training
13 work, do they have money budgeted for training. The
14 information about personnel is important. If you have
15 offices -- several different offices, what are the experience
16 levels and what is the staffing in each office. So that
17 information is available to us.

18 MR. EAKELEY: And what other -- I'm sorry. Were
19 you --

20 MR. GENZ: The only thing else would be the -- we -
21 - the compliance office is a partner with us in this, and

1 they provide us with information that we need to report. Do
2 we need grant assurances about, for example, the composition
3 of the board or what have you? And they work this
4 over individually themselves. They look through their
5 complaints, and they look through their visits, and they
6 report to us anything that we need to include in our process.

7 MR. EAKELEY: I have a followup.

8 MR. ASKEW: It's okay. Don't apologize.

9 MR. EAKELEY: To what extent is there any
10 interaction between applicant and staff during the
11 application process or the ensuing evaluation process?

12 MR. GENZ: With respect to the application process,
13 we've indicated that we're open for inquiries. We have a
14 situation where questions can be faxed to us. SRPs can also
15 be contacted.

16 There's the applicant-information session that's
17 advertised that's a particular telephone -- a large telephone
18 interview situation for folks to call in. We get -- I'm not
19 sure how many. I think we had 50 this year; 50 applicants on
20 that call.

21 With respect to the evaluation process, SRPs are

1 free to -- I'm sorry -- state-responsible people are free to
2 call up and check information.

3 MR. EAKELEY: Are applicants given an opportunity
4 to amend or modify or supplement their application as part of
5 this interactive process?

6 MR. GENZ: Certainly, if we contact and ask for
7 further information, then we accept any supplementation and
8 put it into our -- process.

9 MR. EAKELEY: Does that happen?

10 MR. GENZ: It has happened some. I don't think it
11 happened a great deal this year, given the numbers.

12 MS. MERCADO: You mean it wasn't an automatic thing
13 that you did it? You have an evaluation, something strikes
14 an evaluator, they need more information or it's unclear.
15 You don't automatically contact the grantee back again to get
16 that information, right?

17 MR. GENZ: That's right. We've not done that
18 automatically for every question.

19 MR. ASKEW: Nancy?

20 MS. ROGERS: Yes. I wonder if you could describe
21 the difference between what someone has to submit every year,

1 if they have three-year funding, and what would have to be
2 submitted at the end of the first year if they have one-year
3 funding?

4 MR. GENZ: If you have one-year funding, then
5 you're going through the application process that I've
6 described. You're filling out the narrative and the data
7 that you otherwise submitted just regularly to corporation
8 it's also considered --

9 MS. ROGERS: How would you characterize the
10 difference --

11 MR. GENZ: Together --

12 MS. ROGERS: -- in -- burden? I assume there's a
13 manual from everybody, right?

14 MR. GENZ: Right. We have the renewal application.
15 I think it's more burdensome to fill out the narrative. The
16 narrative is a 45-page narrative, going over 19 questions.
17 What we ask from our renewal applicants is what changes have
18 there been in what you described for us in the last year.

19 We also ask about the state planning work that
20 they've done, which is the same as the narrative question.
21 But other than those two, the differences in state planning,

1 the process is easier for the renewal application.

2 MS. ROGERS: Do we know -- is there any way to
3 characterize the differences? Is it somebody working 40
4 hours? Is it 20 people working 40 hours?

5 MR. GENZ: Oh, goodness, I hope not.

6 MS. ROGERS: In terms of one versus the other?

7 MR. GENZ: I would just be guessing. It's probably
8 1/3 the amount of time for the renewal process. That's just
9 a guess.

10 MR. ASKEW: Doug.

11 MR. EAKELEY: I'll yield if somebody --

12 MR. ASKEW: No.

13 MR. EAKELEY: I'm obviously trying to address the
14 concerns in the NLADA resolution, but was any recipient who
15 got a less than one-year funding this year put on less than
16 one-year funding solely because of the poor quality of an
17 application?

18 MR. GENZ: Let me take a look at that list and see.

19 It's certainly possible in the process that an application
20 looks -- that's almost totally non-responsive puts us in a
21 situation where we need to go out there and look at it. We

1 have the time and resources, because we did -- as we did in
2 other situations, we would have done that before December.

3 This short funding is one of concern to us, and we
4 understand the burden it puts, and, certainly, whenever we
5 can -- and we'll try to hard next year -- to do visits when
6 we need to do them. Before this process, rather than after,
7 we will do that.

8 MR. EAKELEY: But you had told us before that, in
9 addition to the four corners of the grand application, you
10 have interaction with grant recipients and applicants, and
11 then you've got this state planning process --

12 MR. GENZ: Right.

13 MR. EAKELEY: And the compliance process all
14 factoring in. What's the likelihood that the corporation has
15 serious quality concerns with a program and does not
16 communicate those in advance of the grant or this year's
17 grant decisions?

18 MR. GENZ: We certainly do have all that
19 information available to us, and thank you for pointing out
20 the fact that those people are out there and in contact. So
21 there are -- there certainly are possibilities that this

1 information is known.

2 It's also true that this isn't necessarily for
3 people with, either one-year funding or shorter. The first
4 time that we've had this short funding or dialogues about
5 this.

6 MR. EAKELEY: My last question was more about the
7 communicating of concerns in providing opportunities or
8 encouragement to address those concerns in advance of the
9 funding decisions. That happens?

10 MR. GENZ: It didn't happen in two of the short-
11 funding situations here. It did happen in one.

12 MR. EAKELEY: And we're correcting or we're
13 addressing those going forward?

14 MR. MCKAY: Well -- I mean, some of them, if I may,
15 Mr. Chairman, are --

16 MR. EAKELEY: I don't want to get into specifics.

17 MR. MCKAY: No. But there are some --

18 MR. EAKELEY: I'm just focused on the process.

19 MR. MCKAY: There are some cases, as Mike was
20 pointing out, where the application -- it receives a score to
21 help sort of have some basis for the different reviewers to

1 compare the results. And my understanding in the briefing I
2 got is that we had several -- if it's several, maybe only two
3 -- but several where the score was so shockingly low on the
4 application itself that it triggered the need to go out into
5 the field and be on site and review it.

6 And so to that extent, we do have several places
7 where they probably didn't get that kind of feedback in
8 advance, and, frankly, we weren't aware of how dire the
9 situation was until we reviewed the application. As I looked
10 through this list, the majority -- more than the majority of
11 them received an on-site visit, either from us or from an
12 IALTA funder or had some other direct contact with us, and
13 this could not possibly have been a surprise to any of them.

14 MR. GENZ: The other thing mentioned was the IALTA
15 funders, and those reports are very helpful. We get them --
16 as part of the competition process, we ask for evaluations of
17 any other funders, and we review them, and they're often very
18 helpful.

19 MR. ASKEW: Nancy.

20 MS. ROGERS: And what is your reaction to their
21 statements that before putting a program on one-year funding

1 there where always be a peer review, on-site visit?

2 MR. GENZ: The way I read that was that it was
3 before less than year that there should be a peer review or
4 an on-site visit. If it were read the other way, my reaction
5 would be that to understand the nature of the one-year
6 funding is that this is not -- this is saying -- this is a
7 processing saying we are pointing out concerns that we would
8 want addressed, a communication that we want to have. It's
9 not saying that this is a program that we are judging totally
10 deficient.

11 Also, with respect to the numbers of that, it would
12 be very difficult and also burdensome on the program to have
13 us coming down and doing that sort of evaluation before.

14 MR. MCKAY: I'm going to address this also. Let me
15 answer that question, if I can.

16 MR. ASKEW: Okay. Why don't we turn to you, John,
17 if you'd like to address that.

18 MR. MCKAY: Thank you, Mr. Chairman. I wanted to
19 have an opportunity to comment on the NLADA resolution. I
20 just want to pick up with Nancy's question. I think -- we
21 appreciate very much the suggestions of NLADA, and we're

1 going to study them. We've already talked about them.

2 This was passed by NLADA before I arrived, and I
3 did not have an opportunity to listen to the discussion by
4 the NLADA board. I've spoken with a number of the
5 participants. I think I have a good sense of what's going
6 on.

7 I think when you listen to Mike's review of the
8 process, one of the difficulties of the suggestions is that
9 you go on site first. We -- part of the meaning of the
10 application process is that it should be revealing of
11 something. We have a large number of programs nationally.

12 If our staff, who review them all of whom are
13 experienced field personnel, review it and see red flags,
14 they can be of two kinds. One will be the kind that the
15 reviewer will believe are correctable, and there are some
16 that may not be where, in fact, it looks like a financial --
17 there may be financial issues or absolute systemic problems
18 in the program that a decision is made by our staff and then
19 vetted up through the process might describe that says, "We
20 need to give them very short funding and get out there
21 immediately, because this is a very, very difficult

1 situation."

2 Fortunately, we have very few of those, but I would
3 not agree with -- and I don't think our staff would
4 recommend, although we are going to consider of NLADA's
5 recommendations. I would not agree with the proposition that
6 you must go on site before you take an action with regard to
7 their funding.

8 We have the opportunity within the grant process to
9 identify issues and they are severe enough then I think we
10 need to go on site, and we may do something like, as we have
11 in several cases, given three-month or four-month funding,
12 and within that time frame, the pressure is on us and our
13 staff to get out, get in the field, evaluate it, see if the
14 situation is as extreme as the application reveals itself to
15 be.

16 So, I think, it would be incorrect to require an
17 on-site visit, which would -- under, I think, it's a little
18 inconsistent when you read it, because it would seem to say
19 that you have to give at least a year's funding, even to the
20 programs for whom the application reveals extreme problems,
21 of which we had not yet been made aware.

1 But, again, I think, that rather than quibble with
2 the NLADA proposal, I would hope that this will cause some
3 additional dialogue between us and them, and we welcome the
4 suggestion. I think -- always we want the most and best
5 information before we make decisions that affect the grants,
6 and we're all after that.

7 So, I think, we can work together. I certainly
8 think that where IALTA programs and other non-LSC entities
9 visit field programs and write reports that we should
10 consider those. There are some who think that we should -- I
11 disagree with that, and, I think -- you know, we have some
12 very -- examples where IALTA reviewers now, many in
13 conjunction with state planning, are out in the field with
14 formal review teams, conducting assessments of their
15 recipient, IALTA recipients, and they are happening.

16 And Ohio is a very good example where Bob Clyde has
17 gone out now and has conducted assessments of IALTA
18 recipients, which happened in many cases to be LSC
19 recipients, and if you were to get a list of the consultants
20 that Bob used in Ohio, you would see that they're the very
21 same consultants, including some of our project directors,

1 peer-type review from other areas, and you'd be very
2 impressed with the teams that Bob has sent in to programs in
3 Ohio.

4 And, frankly, we did review the IALTA Ohio review
5 reports on some of our recipients, and they did come into
6 play here, and, I think, that's wholly appropriate.

7 With regard to the resolution, Mr. Chairman, I did
8 get a chance to review this after I arrived at NLADA, and I
9 spoke about it, as you know, because you were there along
10 with the board chairman and Tom Smegal, at the NLADA civil
11 caucus.

12 I think the most important point here is to
13 acknowledge that NLADA is correct in saying that our grant
14 decisions can give a perception -- and let me just read from
15 their resolution now -- "creates the perception of racial,
16 ethnic or other bias in LSC's grant-making-decision process."
17

18 And I agree that a perception like that can be
19 created. What I said -- and probably has been created. And
20 what I said in an NLADA civil caucus I want to repeat here,
21 and that is that I believed that the environment for that

1 perception is a responsibility of the Legal Services
2 community at large to address. And LSC should be an
3 important player and a partner in addressing the diversity
4 environment in the Legal Services community.

5 And I point here, as I pointed out in my remarks,
6 the LSC recipient system is one that is created through a
7 system of grants. An obvious statement to make to the LSC
8 board, but it's important to point out that we don't hire
9 board chairs. We don't hire executive directors. We don't
10 determine who the deputy director is or the people who are
11 likely to move into management within our programs.

12 But I do think we can do important things like
13 modeling, like training, like working with other national
14 leaders like NLADA, who can have a much more direct input on
15 who the leadership, in terms of board, who the leadership, in
16 terms of management in our grant-recipient system can be.

17 And that includes raising the issue of diversity,
18 and I specifically asked NLADA to work with us as we go
19 through the state planning process. And I pointed that in
20 981 we specifically encouraged as one of the points of
21 analysis of all state planners was a consideration of

1 diversity in the outcome of state plans, and their -- you
2 know, when you look at the seven criteria in 981, it's not
3 just the last one that talks about configuration of programs
4 but all aspects of developing a comprehensive integrated
5 system.

6 They include important personnel decisions that
7 will be made by boards of directors around the country, and,
8 I think, can be influenced by the leadership of LSC, by
9 NLADA, by the American Bar Association, and others, but we
10 have to take steps.

11 I challenge the community and challenged ourselves
12 and challenged myself to develop a plan for diversity for the
13 National Legal Services community, and that is what I pledged
14 LSC's resources to participate in.

15 I've already been in contact with Clint Lyons, the
16 president of NLADA. We are meeting at the end of this month.

17 I am working with some on my staff to develop some
18 suggestions, which will sort of spread the burden, which it
19 should be.

20 I think, the burden should be spread among the
21 National Legal Services community, and we should address this

1 in a real way. First, we need to conduct an assessment, and,
2 I think, that's the easy part. But, secondly, we need to
3 come up with real and measurable steps to advance diversity,
4 and, I think, we can do that. I think we can do it in
5 training. I think we can do it in terms of working -- paying
6 closer attention to vacancies that occur in the Legal
7 Services community.

8 If there's an executive-director position
9 available, who's working with the board at that program to
10 make sure that they are considering diversity in their
11 appointment of the executive-director position. In my view
12 that needs to be laid in in a more comprehensive way where
13 it's planned and a way that's supported by the National Legal
14 Services community. And that means you have to bring
15 resources to it.

16 I expect at the end of the month to propose
17 significant ideas and specific suggestions to Clint Lyons and
18 others that he and I may want to bring to the table. So in
19 that light I view that as a very positive way to read this,
20 and I, again, reiterate that there's no question but that we
21 give them the community's concern with diversity, which is

1 totally justified. And the current state of
2 diversity in the Legal Services community that any action by
3 LSC to place anybody on a review-type status where we're
4 going to go on site could be perceived in that way, simply
5 because the community has a significant issue with diversity
6 that we all need to address.

7 But, again, I hasten to point out that the issue of
8 diversity is one of hiring and retention, and that is not
9 something that LSC directly controls, and, I think, that the
10 resolution -- I'm going to read the resolution from the
11 standpoint that it directs all of us in the National Legal
12 Services community to move forward and have real steps the
13 community takes to address the diversity issue.

14 MS. MERCADO: I guess I would take -- and I'm sure
15 you're talking about the -- impact on the fact that five of
16 the 11 recipients that got short funding were minority
17 project directors. And I take that to mean the opposite
18 actually, which is that in spite of the fact that in those
19 areas you have some diversity exhibited their diversity is
20 actually being cut by the fact, whatever it is, the
21 evaluation or just -- I'd be real interested to know what the

1 total number of minority project directors are nationwide
2 when you compare the statistical analysis, as we have a lot
3 of statisticians on the staff, five out of 11 that are in
4 short funding what that equals to.

5 Because that's where the factoring -- where the
6 problem comes in, and is that a problem of, you know, has
7 there been any communication or training on how they're
8 supposed to do these applications and what is the source of
9 that? Or are we saying, in effect, that all minority project
10 directors or a great number of them are bad directors and
11 shouldn't be Legal Services project directors?

12 I mean, I don't know what is to be read by that,
13 but that's what it's coming across as. I mean, what are the
14 number of minority directors nationwide?

15 MR. GENZ: I don't have that number. That's a
16 number we need to get and get to you. By no means, are we
17 saying that there's no -- that's certainly not the case.
18 Certainly, the people that I know that are out there are
19 doing the great work.

20 Remember that this is a process that's been going
21 on for four years, and for four years we've had between 10

1 and 15 programs identified, and there's never been an issue
2 before like this.

3 MS. MERCADO: Do we know what those figures were
4 before, or is this just an odd year?

5 MR. GENZ: I didn't get them exactly. I went
6 through, I think, there would have been one or two on some of
7 the years.

8 MR. EAKELEY: But, I mean, let's -- they had 217
9 areas to deal with this year. An enormous number, and only
10 10 were funded for less than a year, and the numbers break
11 out --

12 MR. ASKEW: No. Three were funded for less than a
13 year.

14 MR. EAKELEY: Three were funded for less time. I'm
15 sorry. But, I mean, I used the word herculean effort before,
16 but this was a truly herculean effort. And I haven't seen
17 anything to suggest that there was any invidious motivation
18 to select out from that for receipt of punishment programs
19 who were headed by people of color.

20 But that's the way it broke out this year, and it's
21 not the end of the story. It's part of a process, but, I

1 think, that putting this issue aside and the larger issue
2 that John McKay mentioned, I think, that, again, the staff
3 did an extraordinary job. And it's a process that keeps
4 improving as we go also, and we learn as well from our
5 mistakes, but this was, again, just a very impressive effort.

6 And the resolution should not take away from all the
7 positive accomplishments that --

8 MS. MERCADO: No. But I'm just saying --

9 MR. ASKEW: Yeah. Let me second what Doug just
10 said and also say that, I think, Doug's remarks at the
11 opening assembly down at NLADA and John's remarks at the
12 civil caucus were very constructive, very well received, I
13 think, by the people who were there, and had focused on the
14 future and what we do about this firm here.

15 We are not afraid of or resistant to constructive
16 feedback from any source. I think we've shown that as a
17 board and as a staff over the last six years. And some of
18 the state planning changes that were made are indicative of
19 that. When we hear constructive criticisms, we will respond
20 to those in a constructive fashion. That's what we're doing.
21

1 I think John is on the track with Clint and others
2 to move forward on this. It's a community responsibility, as
3 well as our responsibility, and that's what we're saying.

4 One thing I have suggested to Mike that just like
5 in state planning last year frequently what the field and
6 even our extended and sometimes dysfunctional family sees is
7 the end result of what we do and don't know how we got to
8 those results.

9 We might be able to do a little bit better job of
10 explaining our processes, as you've done here today, to
11 others so that when we make a decision like this people will
12 understand it was a result of a very careful, very
13 thoughtful, very extensive process, and it wasn't based on
14 rumor or innuendo or instinct.

15 And, therefore, maybe going forward from here one
16 thing we can do is find ways to continue to coordinate,
17 explain, integrate people into what we're doing, so that when
18 those decisions are made, everybody understands.

19 They can still disagree, and we'll still have
20 debate about those issues, but there won't be this question
21 of wait a minute. How did you get there? We don't

1 understand how you got there. That's one of the
2 constructive, I think, we can do, as well as what John is
3 doing in terms of continuing the dialogue about how we
4 possibly can do better in the future.

5 MR. GENZ: Thank you. That's an excellent
6 suggestion. We'll definitely take it up.

7 MR. ASKEW: Nancy.

8 MS. ROGERS: Is there still time?

9 MR. ASKEW: Yeah.

10 MS. ROGERS: I know that we stopped the peer-review
11 site visits because the funding for that was pulled out, and
12 so that puts us in a difficult spot that way, as well as the
13 time process doesn't really allow for it in the new
14 competition that was suggested for us.

15 But when you mentioned that there were IALTA
16 organizations in a number of the states that actually peer
17 reviews, I wondered if there are enough of those that if we
18 were satisfied with that as a fair review, and there were
19 only a few left, if we could institute regular peer-review
20 site visits in the remaining states? Is that feasible within
21 our limited finances?

1 MR. GENZ: We could certainly try to look to that,
2 and there are several outstanding states that do really good
3 work on the peer review, but they're a minority that are
4 doing that in the IALTA context.

5 MS. MERCADO: It's not the majority of states that
6 have one?

7 MR. GENZ: No, by no means of the quality of Ohio
8 or Florida or Michigan. Those are rare. One of the
9 wonderful results of the state planning process is that
10 that's encouraged states to be doing that, so more are doing
11 it now than they had, and we'll hope that that expands.

12 MS. ROGERS: So that's not really financially
13 feasible for us to be visiting all the remaining programs?

14 MR. GENZ: Not at this point. So, approximately --
15 I mean, even the limited visits that we do in this context
16 are like \$5,000. So we'll just have to do as many as we can.

17 MS. ROGERS: Well, you know, in thinking budgetary
18 wise, is that something that we ought to be looking when
19 we're doing funding appropriations requests in the future as
20 far as instituting back the peer review that we used to have
21 before we got cut on a lot of that funding, so that you do

1 have that on-site review to see whether or not there are any
2 problems with those grantees. I mean, that's an additional
3 request for actually getting the kind of compliance and
4 quantity -- Legal Services that you want that we now don't
5 have.

6 MR. MCKAY: Well, I think we're unlikely to see in
7 the near term a comprehensive peer-review system funded out
8 of LSC. I think you're more likely to see a combination of -
9 - programs will see more on-site visits by funders, including
10 the LSC, and they will include IALTA peer review. They will
11 include more programmatic reviews, and one of the things
12 about the one year or less funding is, which we were a little
13 perplexed by at NLADA, from our standpoint when we put a
14 program on one-year funding or less in the few cases where we
15 did that that means that we put a large number of resources
16 into those programs. They will get on-site visits from us.
17 They will get very specific feedback from us. And so the
18 activity in the program actually increase, rather than
19 decreases, and every opportunity is given for the program to
20 correct the problem.

21 As Mike pointed out the last term, all of the

1 programs corrected the deficiencies that were placed on that
2 sort of short funding, and that occurred in part because they
3 received a lot more attention from us. I don't think in the
4 near future, although everyone wants it to occur that I have
5 spoken with, we'd like to see peer review
6 reinstitutionalized.

7 One of the things we're working on is to -- in our
8 compliance effort -- to continue the trend that Danilo has
9 led -- Danilo Cardona has led, which is make sure that our
10 compliance people are serving two functions.

11 One is to -- well, typically, they're responding to
12 a complaint or to another issue raised, but that our
13 compliance staff is working more closely. Mike just said a
14 partnership. That's what we're striving here. That a
15 partnership between compliance and programs continues.

16 We find that the compliance staff spend as much
17 time teaching as they do in resolving the issue that may have
18 brought there. And so we have very experienced people like
19 Bill Sulik and David De la Tour, who have been working more
20 closely in the last two years with programmatic staff, in my
21 judgment, than they ever have, so that when they go out into

1 the field, they are -- they're providing some on-site
2 assistance.

3 And you're right, Maria. I think one of the
4 biggest issues has been the isolation of our programs from
5 each other, from other programs, from their peers, and that's
6 been an affect of the reduction in funding that we're slowly
7 trying to put back into place. So I'd like to get where you
8 are.

9 I don't think -- we certainly can't be there, as
10 you'll learn when we look at FY 2001, which is coming up,
11 but, I think, everybody is in agreement that we need to move
12 in that direction.

13 MS. ROGERS: I think it might be an interesting
14 thing to put into the dialogue that you're going to have to
15 ask where in terms of priority is the peer review on-site
16 visit regularly done if we are going back to Congress and are
17 saying we'd like these additional things. Is this the
18 number-one thing that would be added on, or is it number two,
19 three, or four? I know that we had positive
20 reactions to it when it was ongoing. I just don't know how -
21 - where it lies in terms of a list of priorities.

1 MR. MCKAY: Well, our first priority in terms of
2 that kind of staffing is going to be in the compliance side,
3 and that, in part, is a reaction to, one, being able to
4 assure Congress that before we have a problem in which the
5 Inspector General or the GAO or somebody else has to be out
6 in the field that LSC management has been out there with our
7 teachers, teaching people about what it takes to get this
8 done right and in compliance.

9 And what we're seeing interestingly -- something I
10 hadn't seen when I first came to the corporation -- is the
11 referrals from our compliance staff directly to the
12 programmatic staff to go out. We may solve the initial
13 problems. Counseling occurs in the program, but then the
14 programmatic staff follows compliance staff in to do
15 capability assessment and training.

16 And we've seen that now on a number of occasions
17 this year. It had gone on in the past, but, frankly, I
18 hadn't focused on the important partnership between
19 compliance and programs.

20 So, I think, our first priority is to make sure
21 that we have adequate ability to assure compliance and do the

1 teaching that's necessary. And, I think, peer review --
2 being able to do peer review, would be a very close second.

3 MR. ASKEW: Okay. Let's don't lose sight of the
4 fact that up until a few years ago everybody had a one-year
5 grant, and moving to the three-year grants, was an attempt to
6 stabilize and regularize things. And the large majority of
7 programs are in that situation. It's really a small
8 percentage of programs that are given one year or less, and,
9 I think, what we've heard today is a constructive response to
10 what I think the resolution as a while was entered in a
11 constructive sense of let's have a dialogue.

12 Thank you, Mike.

13 MR. GENZ: Thank you.

14 MR. ASKEW: I need the guidance of my committee and
15 of the presenters here that are left on the agenda. We --
16 we're supposed to break in five minutes for lunch, and we
17 have two more items on the agenda.

18 We have two alternative ways to proceed. One, we
19 can put our friends from the Project for the Future, move
20 them up on the agenda and have them go next, and Mike and I
21 had talked to them about a 30-minute presentation, which will

1 carry us into the lunch hour. Or we could break for lunch at
2 12:30 and come back after lunch and continue the committee
3 meeting.

4 The agenda this afternoon for the board is for the
5 Operations and Regulations Committee to continue its meeting,
6 but there's no other committee meetings. We could reassemble
7 as a committee after lunch and do it then. I'll look for
8 guidance, both from the people who are on the agenda, as well
9 as from my committee. Julia.

10 MS. GORDON: We were actually prepared for a 10
11 minutes, not 30, as per Mauricio. So we're happy to do a
12 short version.

13 MR. ASKEW: I'll have to speak to Mauricio, because
14 Mike and I talked about 30 minutes. The only thing I'm
15 concerned about, Julia, is, frankly, we have a lot of
16 interest in that, and I know Doug has a lot of interest in
17 your presentation. And the questions may take it much longer
18 than 10 minutes.

19 But lunch is no pressing need for me. I'm quite
20 willing to stay in terms of food. It's just really an issue
21 of whether we need to break or people have other commitments

1 at 12:30. Nancy, any preference?

2 MS. ROGERS: I don't care.

3 MR. ASKEW: Edna?

4 MS. FAIRBANKS-WILLIAMS: No, I don't care.

5 MR. EAKELEY: I have a commitment that I can't
6 move, unfortunately, but I'll just be a little bit late for
7 it, if you'll forgive me for walking out on the middle of
8 questions and answers, but I want to stay for the
9 presentation. I don't want to miss that.

10 MR. ASKEW: Okay. Why don't you come forward, and
11 let's start with that, and if it opens up a lot of questions
12 and answers, we may have to break, at least briefly.

13 Julia Gordon and Bonnie Allen have joined us. I'm
14 going to ask you to introduce yourselves and then the Project
15 for the Future to us, and then, I think, we'll have some
16 questions for you.

17 MS. ALLEN: Okay, great. Well, I'm Bonnie Allen,
18 and this is Julia Gordon. And thank you very much for this
19 opportunity to talk with you about the Project for the Future
20 of Equal Justice.

21 We actually have worked with a number of the LSC

1 staff, and so we have, in fact, I think, a very good working
2 relationship. We've worked with Bob Gross and some of his
3 staff, Willie Abrams, Pat Hanrahan, and others in a number of
4 the states that we are working in, as you are, working to
5 develop some core capacities to move states in terms of
6 developing comprehensive, integrated systems.

7 What we're going to do today is highlight -- I'm
8 not going to go into all of the project activities. This
9 little green card gives you a quick preview of some of the
10 specific initiatives that the project has development. We're
11 going to focus on two of them, but, first, let me just spend
12 a few minutes giving an overview and a little bit of the
13 background for the benefit of those of you who may not know
14 the history of the project.

15 The Project for the Future of Equal Justice was
16 funded two years ago, Julia? Julia was the first one in the
17 project or one of the first ones in. It is a joint
18 initiative of class in NLADA. It's funded by the Open
19 Society Institute in the Ford Foundation, and its primary
20 mission is to expand and strengthen the national
21 infrastructure that supports the development in every state

1 of a comprehensive, integrated system to provide low-income
2 people with the information and advocacy that they need.

3 We have concentrated on four or five capacity
4 areas, and we're going to talk about two of them today;
5 technology, training, resource development, and substantive
6 law, which encompasses several things; strengthening state-
7 level advocacy, the need for states to develop alternative
8 systems that can handle the restricted work that the LSC-
9 funded programs cannot handle.

10 Looking at some specific initiatives and how the
11 substantive law is changing. One initiative that class was
12 focusing on through the project is the intersection of
13 housing law and welfare law and how that affects the way that
14 legal services programs approach their work.

15 In the resource development area, which is the area
16 that I concentrate on, we brought together about a year ago a
17 very broad-based group of advisors, drawing from other non-
18 profits, the private sector, the business community, private
19 law firms, as well as local project directors, state-level
20 legal services folks, IALTA directors, to have a discussion
21 about how we could focus our work in the resource-development

1 area that would be most productive and not duplicate the
2 efforts of MIE and some of the other organizations.

3 And what we came up with were two initiatives.
4 One, which I'm going to talk about in a little bit more
5 detail today, which was an image-building campaign or a
6 public-awareness campaign. And the other is a strategic
7 outreach to the philanthropic world, the foundation
8 community.

9 The public-awareness campaign has really developed
10 into, I think, a very exciting project. We started it by
11 hiring a firm here in Washington, Belden, Russonello &
12 Stewart, to take a look at already existing public-opinion
13 data about how the American public views civil legal services
14 for the poor. And they did that work over the summer, and if
15 you're interested in the reports, we have them in our office,
16 and John as a copy. Mauricio has a copy, I think, but those
17 are available. It's public information.

18 And what they did is they looked at polls and
19 surveys and focus groups that had already taken place through
20 either the ABA, LSC, ACLU, other organizations, and there are
21 a few other polls, Gallop Poll and Harris Poll, that looked

1 at Americans' views toward civil legal aid for the poor or
2 anything that was close to that.

3 And, in fact, they found out that there really
4 isn't very much data out there about public opinion in this
5 area. So they also looked at public opinion in regard to
6 poverty in general, and I won't go into a lot of detail about
7 that. There's a little bit of information in these manila-
8 covered sheets about that data. There's more information in
9 the full reports.

10 But, very briefly, that work revealed a fundamental
11 tension in values between Americans' commitment to fairness
12 on the one hand and a very strong sense for the need -- for
13 individual responsibility and that this tension fluctuates
14 over a period of time.

15 In 1992, for example, when the Clinton
16 administration first came into office, fairness was a little
17 bit higher, and then in '95, '96 when the welfare-reform
18 debate was taking place, those values flipped and individual
19 responsibility became higher.

20 The open society -- was funded to conduct in-depth
21 message research that will probe that tension in more detail,

1 as well as ask a lot of other questions. We're going to be
2 conducting 10 focus groups over the next few months in
3 different parts of the country.

4 That research process is guided by an advisory
5 group, and Mauricio sits on that group. There's both a small
6 steering committee that's made up primarily of national
7 constituents representatives, and then a much larger advisory
8 group that's made up of representatives of the private bar or
9 the IALTA community, foundation representatives, a pretty
10 broad group of people.

11 At the end of the research process, the next step
12 will be to put together a national public awareness campaign.

13 We'll have a message strategy. The research will be
14 available to the entire community, and, I think, it's
15 important to point out that OSI funded the consultants
16 directly, and the reason that's important is because no one -
17 - no single organization will "own" that product. And they
18 did that very intentionally, so that state and local groups
19 and all the other national organizations will all feel that
20 they had equal access to that information.

21 So the message research, the tag line, and the

1 research that surrounds it will be available to various
2 groups nationally, at the state level, and the local level to
3 tailor to their own needs. But we also will be implementing
4 a national campaign with a message and with all kinds of
5 different media kits, press kits, community-foundation kits,
6 private bar -- we'll be working closely with MIE to put
7 together private-bar campaign kits to get the message out.
8 And it's a dual purpose, both to increase funding in the
9 private sector for civil legal services, and also to
10 increases public support.

11 Interestingly, we started out thinking that this
12 would be a fairly strategic campaign, designed to assist our
13 advocates with funding raising, but we broaden it after a lot
14 of dialogue, because we came to the conclusion that you can't
15 really separate those two things out. You can't separate
16 public support and the decisions and influencing policy
17 makers from private support. That they're very interrelated,
18 in fact, and so the campaign will be both to increase funding
19 and also to improve our image with policy makers, as well.

20 The -- just very briefly I'll touch on one other
21 resource-development initiative, and then turn it over to

1 Julia. We are doing a lot of work trying to build
2 relationships in the foundation world. And there's an
3 exciting event that's going to take place next summer where
4 we are partnering NLADA, and the project specifically with be
5 co-sponsoring with women in philanthropy, which is affinity
6 group of funders that focuses on funding women's and girls'
7 issues and MIE.

8 So it will be the three organizations together, co-
9 sponsoring a conference in Chicago for grant makers, for
10 foundations on why they should fund legal services. And this
11 is really the first opportunity formally that we've had to
12 get before an audience of grant makers and make our case.
13 And the hope is that there will be other opportunities.
14 We're working with other affinity groups in the Counsel on
15 Foundation, as well, to try to develop similar relationships.

16 And, again, that has an advisory committee that's
17 made up of a very broad range of stake holders in our
18 community and will be involving some of our project directors
19 and IALTA directors. And, certainly, would be interested in
20 any ideas that the Legal Services Corporation has about that
21 initiative, as well. Julia.

1 MS. GORDON: Thanks, Bonnie. Before I talk about
2 the technology-related initiatives, I do want to just say a
3 little bit more about the project generally, because, I
4 think, people don't necessarily know the structure and scope
5 of the staff.

6 There are currently five people who are fully
7 funded. Their salary comes entirely from the projects'
8 grant. Bonnie and I are the two senior staff of those five.
9 An additional person works as the project coordinator over
10 at NLADA, which is where Bonnie is located.

11 I'm over at CLASP, where I have a Web master and a
12 Web-site assistant who work over there. In addition, we have
13 the half-time participation of an NLADA senior staff
14 attorney, as well as, of course, the very devoted efforts of
15 Martha Bergmark and Don Saunders at NLADA and Alan Housman at
16 CLASP. So that's the universe of who works on this stuff and
17 where we are.

18 In talking about the area of technology, I would
19 say the most important thing we've learned -- and so I want
20 my remarks to be in this context -- is that you can't talk
21 about technology in a vacuum. It's not just this thing that

1 hangs out there. Any work on technology has to be related to
2 and, in some cases, even can help drive a discussion of
3 program and state mission, and technology has to be employed
4 in the service of that mission.

5 Any efforts -- there's so many new toys out there
6 that any efforts to use technology that are not very grounded
7 in mission and specific program goals are bound to, at the
8 very least, spend a lot of useless money. And, you know, at
9 worse, really create some tensions in a program or in a state
10 around resources going toward technology. So all of our
11 efforts around technology are in the context of some kind of
12 delivery mechanism.

13 I want to talk briefly about four things that we've
14 done. It's hard to talk briefly about four things, so I'll
15 be really brief, and then you can ask me additional
16 questions.

17 The first is that we have been trying to work to
18 encourage states to do a good job of strategic technology
19 planning as part of their state planning efforts. And
20 recently we've begun to work more intensively with individual
21 states. We just ran a workshop at the NLADA annual

1 conference where we brought together a group of key state
2 leaders from seven different states, including, in some
3 cases, the Alata director, as well as key project directors
4 and other staff, to learn about some technology innovations
5 available to them, to hear about how some states who are in
6 the lead are doing what they're doing, and then we worked
7 with these states in this workshop intensively with
8 individual facilitators to talk about concrete steps that
9 they could take as soon as they got back from Long Beach to
10 move ahead in technology.

11 And I was pleased that that workshop seemed to be a
12 success, and that, you know, at least, several states have
13 some additional information to move forward in their planning
14 efforts.

15 In the past year the project has convened something
16 called the Information Management Advisory Group, IMAG, which
17 we've pronounced image, and this is a group to examine how
18 the civil-legal assistance community can pool its knowledge
19 and information electronically, so that it's accessible to
20 everybody and can be used to best advantage by everybody
21 involved in this system, including both advocates and

1 clients.

2 That group includes representatives from many major
3 organizations involved in technology, including Glen Rawdon
4 from LSC, Patty Pap from MIE, folks from National Support
5 Centers, folks from programs, and technology experts from
6 outside the Legal Services community, including a chief
7 information officer from a major law firm, who's a national
8 leader on legal-information management. David Goldsmith,
9 who's a technology consultant, who in his previous life
10 created Handsnet, and Handsnet is new technology. And Ron
11 Staudt is a vice-president at Lexis and a professor at
12 Chicago Kent Law School.

13 So that group -- similar to the public-awareness
14 effort, that group is an effort to bring leaders in the
15 community together to talk about what the community needs to
16 do as a whole to create an electric resource that is not
17 owned by any particular organization or set of interests.
18 The first activity of that group has been to talk about
19 creating Web-site portals. That's a buzz word that's out
20 there in the technology world now that you may have heard.

21 A portal is a Web site that is the first place you

1 go if you want to be presented with an array of information
2 possibilities in a particular area, and the two portals we're
3 talking about creating are a portal for Legal Services
4 advocate information that would include both advocates at
5 staff programs and, you know, pro bono lawyers or anybody
6 else doing this kind of work and the portal for clients.

7 Increasingly, clients -- the client-eligible
8 population are beginning to receive legal information from
9 the Internet, although the "digital divider," the distinction
10 between where the middle and upper-income population with
11 respect to computer ownership and use and the lower-income
12 population is -- although that divide is wide, an increasing
13 number of low-income people do have access to the Internet,
14 if not from their home, which is less usual than through
15 community technology centers, libraries.

16 They're getting information that their kids bring
17 them back from school where many of them have access to
18 computers, and while the Legal Services is slowly beginning
19 to put a lot of client information on the Internet, lots of
20 other folks out there who don't actually have the best
21 interests of this population in mind are also beginning to

1 put information out there.

2 And we consider of critical importance to start
3 creating a site that can get kind of the seal of approval
4 that we can brand as the site where low-income people can
5 receive legal information that's tailored toward their needs
6 that's created in a way that's most user friendly for them
7 and that's connected to the system of civil-legal assistance.

8 So those folks who cannot be assisted just by reading
9 something on the Internet can be funneled into the system to
10 receive additional assistance.

11 So those -- we're just getting to this slightly
12 harder questions of how we're going to fund this and who's
13 going to actually do it, but the work is underway. We
14 unveiled some mockups of the portals in Long Beach to a crowd
15 that was surprisingly enthusiastic for 7:30 in the morning.
16 So we're encouraged about moving forward on that.

17 In addition, the project has overseen a hot line
18 outcomes assessment over the past several months. That
19 assessment is being overseen by an advisory committee that
20 includes John Eidleman from LSC, Wayne Moore from AARP, and
21 folks from the field, including both long-time hot line

1 either, you know, supporters or hot line directors, as well
2 as some people who have been slower to jump on the hot line
3 bandwagon in order to insure that the advisory group is
4 really looking at this issue fairly.

5 We've just completed phase one of this assessment.

6 Phase one consisted of 44 interviews of existing hot lines,
7 and here we focus just on program hot lines, rather than
8 statewide, centralized hot lines. And we looked -- we
9 conducted indepth personal interviews with the programs and
10 looked at their CSR data for the before and after periods of
11 implementing the hot line.

12 To do the study, we've retained some social-science
13 experts, who were quite rigorous in looking at the data and
14 deciding what data was clean enough to really draw
15 conclusions from. Of the 44 programs, ultimately, only eight
16 had adequate and clean data from the before and after periods
17 for at least two years before and at least two years after
18 the implementation of the hot line.

19 That meant that there were no significant changes
20 in their service area, no significant changes in the way they
21 reported their cases, no significant changes in, you know,

1 anything else that would affect the numbers. And,
2 unfortunately, our nice pool of 44 did shrink to the point
3 where the statistical and quantitative data is perhaps not as
4 helpful as we had hoped.

5 However, the qualitative data has been very helpful
6 in identifying what the key issues are with hot lines, what
7 these programs and their staff perceive as the major
8 advantages, some of the drawbacks, some of the key choices
9 that need to be made, and the design of the project.

10 Most important phase one of this study is providing
11 us with valuable input for designing phase two. Phase two is
12 going to be a bigger, longer, and more expensive study where
13 the researchers will actually go to programs and be in touch
14 with hot line clients.

15 This study will look at outcomes and will attempt
16 to correlate outcomes, both with hot line design and with
17 substantive area of law in an effort to see if there are
18 particular areas of law that are more suited to this approach
19 or if there are particular designs that have any impact on
20 what the client outcomes are.

21 Because there's so little -- as Ted discussed

1 before -- outcome data for ordinary program operations in
2 non-hot line representation, it's virtually impossible to do
3 a study that compares the outcomes of non-hot line
4 representation with hot line advice and assistance. To do
5 something like that, would require quite a lot more money
6 than anybody has so far indicated they might be interested in
7 giving us, although, obviously, at some point, if we could do
8 that, that would be very useful.

9 Last, I just want to briefly mention that the
10 project helped put together a public-private partnership with
11 an organization called Language Line Services. Language Line
12 is a spinoff of AT&T that provides over-the-phone
13 interpretation from English into more than 140 different
14 languages. And through this partnership, Language Line is
15 agreeing to give significant discounts to civil-legal
16 assistance programs to use their services.

17 Many of the programs have already begun to use
18 their services. Some of the bigger hot lines rely on their
19 services. Could not do their job otherwise, and we were very
20 excited that Language Line was interested in partnering with
21 the community. They have contributed a significant sum of

1 money that went toward the NLADA annual conference and that
2 will go toward offsetting the cost of some project staff to
3 help disseminate information about how programs can better
4 reach non-English-speaking communities.

5 Although it's a for-profit organization in the very
6 competitive telecommunications industry, Language Line
7 actually started with a group of volunteers who were helping
8 police, fire fighters, and other public-safety officers, and
9 they have a strong community commitment, and they seem as
10 excited about this partnership with us as we are.

11 So that's some of what's -- and I will say one
12 other thing about technology, because we haven't heard from
13 him yet, is it has been a blessing to have Glen Rawdon on
14 staff here at LSC. In addition to the good work he's doing
15 out in the field, I have mostly, you know, created the
16 National Technology Project alone. There's really no one
17 else doing this at the national level, and to have Glen
18 around to bounce ideas off of and to work on projects
19 together, I think, makes a big difference for both of us, and
20 I hope we continue to work together as closely as we have
21 been.

1 MR. ASKEW: Thank you. There's a lot there
2 obviously, and let me see if committee members -- Edna, do
3 you have any questions? Comments?

4 MS. FAIRBANKS-WILLIAMS: (Shaking head.)

5 MR. ASKEW: Nancy?

6 MS. ROGERS: No.

7 MR. ASKEW: Maria?

8 MS. MERCADO: (Shaking head.)

9 MR. ASKEW: Let me ask you, Bonnie, in my other
10 life -- and I do have another life -- I'm involved in Georgia
11 with this public trust and confidence commission that every
12 state is being asked to set up because of the ABA and the
13 National Center for State Courts and the Conference Chief
14 Justice's efforts.

15 And their efforts are based on data they have,
16 which shows public trust and confidence in the system of
17 justice is at an all-time low. And, in fact, there's some
18 scary data out there about what the public thinks about the
19 system of Justice. Not Legal Services but the system as a
20 whole.

21 And some of the data -- and up front I'll tell you

1 the presentations made by John Russonello and the woman from
2 the Women's Philanthropy group at NLADA were remarkable. I
3 thought they were quite interesting and informative and
4 inspiring in some ways. But I thought some of Mr.
5 Russonello's data was contradictory to data I've heard from
6 other sources about the public's confidence in our system of
7 justice. And that he gave some figure at some point that 60
8 percent of people surveyed had strong confidence in the
9 system or something like that, and I've heard the exact flip
10 of those numbers, particular, for minorities.

11 But for the public as a whole, 35 to 40 percent --
12 only that number -- has confidence in our system. And what
13 you're doing is a part of that --

14 MS. ALLEN: Right.

15 MR. ASKEW: -- is influenced by that sort of data.

16 Are you all aware of these efforts or involved in any way
17 these efforts that are going on all around the country to
18 have these commissions on public trust and confidence address
19 the issue of how is this system responding to these public
20 concerns about the unresponsiveness, the elitism, the
21 discrimination that goes on within the system of justice?

1 Are you all involved in that in any way, I guess, is the long
2 -- the question to my long statement?

3 MS. ALLEN: We're not involved in it directly. We
4 are somewhat aware of it. I will certainly talk to John
5 Russonello about making sure that he has access to the
6 information and the research that's going on in the different
7 states.

8 I know the Florida bar -- not that specifically --
9 but the Florida bar just went through some message research
10 in developing their new logo, and they certainly looked at
11 some of those issues.

12 Interestingly -- and I'll be glad to send you the
13 full reports -- the way that the questions -- what John
14 Russonello reported was really the result of only a few
15 questions in some focus groups that they did on the criminal-
16 justice system, but he didn't get into this in his workshop.

17 But if you break that down, you're right. Minorities answer
18 those questions differently and lower socio-economic-group
19 representatives answer those questions differently.

20 And even though, I think, he reported that
21 something like 60 to 70 percent of Americans think we have a

1 pretty good justice system, lawyers specifically are very,
2 very -- there's very low and poor images and opinion about
3 lawyers. So the way you break out those questions really
4 matters, and it's very complicated.

5 So even though you can make that one sweeping
6 statement, well, we have the best system in the world, when
7 you get into some of the specific questions it's not so
8 glowing. So -- but your specific question I'll make sure
9 that John is -- has access to what's going on.

10 MR. ASKEW: There's another issue that every state
11 has been asked to set up a commission or a committee on
12 public trust and confidence. There should be some way to try
13 and encourage Legal Services advocates to be involved in
14 those commissions, either get on them or participate in the
15 discussions they're going to have, because they can go all
16 over the place.

17 The National Center for State Courts has sent out
18 very explicit sort of instructions about how to do this and
19 what we want you to do and the information we want you to
20 gather. One, the information could be quite useful for you
21 all to have, but, secondly, Legal Services advocates should

1 be involved in those discussions to make sure that issues are
2 of a particular concern to us are not overlooked as they are
3 doing a much broader look at the system within their state
4 and the public's perception of that system.

5 And then, secondly, they're supposed to develop an
6 action plan to address those concerns, and the action plan
7 should be -- certainly be considerate of the concerns that we
8 have as they go forward.

9 MS. ALLEN: Okay, great. Well, I'll make sure we
10 look into that. One other point -- Ms. Williams, is it? I'm
11 sorry. I haven't --

12 MR. ASKEW: Edna.

13 MS. ALLEN: Edna. You raised some rural issues
14 earlier, and I wanted to mention that some of the feedback
15 that John Russonello got at our conference was on the rural
16 issue to make sure that the focus groups -- that some of the
17 questions that were asked and some of the case studies that
18 were posed addressed rural client needs.

19 And so we've actually added a focus group in
20 Birmingham that will be a -- made up of rural folks. So that
21 research is going to be available, as well, and we'll be able

1 to test out whether poverty is perceived differently in rural
2 areas, whether some of the types of cases are different, and,
3 I think, that's going to be an interesting research product.

4 The focus groups, just for everyone's general
5 information, people are free to go if you can get yourself
6 there. I mean, we don't have money in the budget to fly
7 people around, but it's open, and so folks who are interested
8 in attending focus groups. Mauricio will have the schedule
9 or you can call me.

10 There's going to be one in Baltimore on December
11 7th in the evening. One in --

12 MR. ASKEW: When you say attend, what does that
13 mean?

14 MS. ALLEN: That means you can go --

15 MR. ASKEW: Sit on the outside and watch?

16 MS. ALLEN: -- sit behind the magic mirror and
17 observe. And, I think, that we can -- up to 10 to 15 people.

18 So Birmingham on December 8th and LA on December 15th, and
19 then will be some other ones in January. But folks who are
20 interested in attending, as long as we can handle the
21 capacity, you're free to attend, and, I think, it's going to

1 be an interesting process.

2 MR. ASKEW: Let LaVeeda know about the Birmingham
3 if you can a chance.

4 MS. ALLEN: Okay, I will. Definitely.

5 MR. ASKEW: Well, I'm sorry our time is so
6 compressed, because what you're doing is of quite a bit of
7 interest to us as a board and to the staff. And we'll look
8 forward to hearing from you in the future about the progress
9 you're making. Good luck.

10 MS. ALLEN: Thanks for having us.

11 MR. ASKEW: I always thought you worked for NLADA,
12 Julia, until Alan told me last night you work for him. My
13 sympathies go -- but, good luck.

14 MS. GORDON: Thanks.

15 MR. ASKEW: We have one more item on the agenda,
16 and that's to hear from Glenn Rawdon, whose name has been
17 mentioned here several times already today. Can Glenn come
18 forward?

19 I apologize to you, as well, Glenn, for the
20 lateness of the day, but I'd just ask you to introduce
21 yourself, because this is the first time we've had a chance

1 to hear -- to meet you and hear from you. What's your
2 responsibilities here, and then what you have to say to us.

3 MR. RAWDON: Okay. Mr. Chairman, thank you for the
4 opportunity to be here. Ladies. I appreciate the
5 opportunity, not only to be here today, but to be here at LSC
6 at all in the position that I'm doing. So you will know I'm
7 a program counsel, just like the rest of Mike's staff, except
8 that I don't have any particular states that I work with.
9 I'm working solely with the states on technology. So, in
10 effect, I have 50 states that I'm working with, plus Puerto
11 Rico and the other territories.

12 The way I came into this position is that I met
13 Mike Genz about a year and a half ago and was talking to Mike
14 about, gee, LSC doesn't have anybody there, focusing on
15 technology, but if you want us to be upgrading our
16 technology, you really need to get somebody in there,
17 focusing on technology.

18 MR. ASKEW: Where were you then?

19 MR. RAWDON: I was doing a training in Atlanta on
20 case-management software, and Mike had been invited to
21 attend. And so he met me there, and we were having lunch,

1 and you know how it is when you get somebody with LSC and
2 you're with one of the programs. You want to tell them
3 everything LSC is not doing correctly.

4 So what happened was Mike listened to me, and then
5 called me to invite me to apply for the position. I said,
6 "No, no, Mike. I didn't mean me. I meant you need somebody
7 else," and Mike said, "No, we want you to apply." So I
8 applied for the position, and I'm now here and been here
9 since June, and I'm so happy that Mike called me and asked me
10 to do this, because I'm just really enjoying my work.

11 I'm working with people all across the country to
12 help them with their technology efforts. I put together a
13 little two-page list of activities kind of in an outline form
14 to show you some of the things are ongoing.

15 We've talked about some areas like statewide
16 planning. Technology lends itself very well to working on a
17 statewide effort, because when you've got an area that has
18 six or seven different programs in it, they can't all have
19 someone with an expertise in technology. It makes a lot of
20 sense for them to come together and to get a statewide
21 coordinator on technology.

1 This is one of the things that I've been kind of
2 preaching to people since I started they ought to do this,
3 and one of the pleasures for me is one of the first things I
4 did when I came here was go to the Southeast Project
5 Director's meeting in Tampa, where the project directors from
6 the southern states were there, and we organized some
7 meetings of those directors. And one of the groups we talked
8 with were from Tennessee, and I got to give them my spiel
9 about I think this is the place you start, that type of
10 thing.

11 Well, they invited me back to do a training at
12 their statewide meeting in October that they were having in
13 Tennessee, and they announced to me at the time that they had
14 all gotten together and decided to fund a state coordinator
15 on technology. And they're advertising for the position,
16 and, hopefully, by the first of January, they will have this
17 person on board, working with them with all the programs on
18 statewide technology.

19 MR. ASKEW: They haven't offered you the job, have
20 they?

21 MR. RAWDON: No, they have not offered me the job.

1 Another thing -- I'm from Oklahoma. I came here from the
2 program in Oklahoma, and Oklahoma applied for a technical-
3 assistance contract to hire a consultant there to work with
4 the state on a statewide technology plan. If you've read
5 much of the Oklahoma plan, they haven't actually done a lot
6 on statewide planning. This is the first effort that we've
7 seen. Technology is an easy area for people the agree on
8 that they ought to be working together.

9 And so this is one of the things that I'm putting a
10 lot of effort into. As you'll see, the top thing on my list
11 is I've put together an outline for a manual for people to do
12 on statewide planning for technology. And part of the
13 technical-assistance-grants contracts that we let were for
14 Steve Gray and Michael Hertz to do some sections on that.

15 I'm going to do some sections, and I'd like to put
16 together a blueprint for them that basically can tell them a
17 formula that they can use to coordinate their statewide
18 technology, to get one Web site, to get their brief banks up,
19 to use the Web site for pro bono efforts.

20 I really would like to give them some guidance so
21 that they're not all recreating the wheel. We've seen a lot

1 of good efforts from places like New Jersey and Michigan.
2 Ohio is moving that way. Minnesota has made a lot of
3 progress. I'd like to share that information around the
4 other programs so that they can learn from what's already
5 been done and put this together into one resource.

6 Another thing that I believe very strongly in is in
7 providing training. So you can see I've done a session at
8 the Southeast Project Director's meeting. Court, which is
9 Ohio, West Virginia, and Michigan. That was a group of
10 advocates there.

11 South Carolina invited me down to speak to a group
12 of managers. They were not the attorneys. They were the
13 people in the offices who are actually working in management
14 assistance there. And then MIE invited me to do a training
15 that they had managers in the meeting where I'm working more
16 with managing attorneys.

17 So I got to see a broad base of people in the last
18 five months and do training sessions with them on how they
19 can use technology in what they're doing.

20 Now, understand one thing about my position on
21 technology. I don't see technology as just a bunch of nice

1 toys that we can put out there and everybody can play with
2 and have fun. I see technology as tools to help our clients.

3 If I didn't think it was going to help our clients, I
4 wouldn't be doing this, because for the first 20 years of my
5 legal career, I was self-employed.

6 I came to Legal Services just five years ago,
7 because I believe very much in helping the type of people
8 that we help here at Legal Services. I got tired of charging
9 clients \$150 an hour when they make \$8 an hour. I believe
10 that technology can do a lot to move forward these efforts on
11 helping our clients.

12 I really believe in what we're doing on our
13 statewide planning and getting access to everyone and also in
14 what we're doing to expand the Web sites so that people who
15 don't have access to an attorney because with the funding we
16 have, we can't help everyone. I mean, we all know that. But
17 if we can move some of these efforts into helping them
18 through technology with the Web sites and such, we're going
19 to meet the people that we haven't met before.

20 And I'm really excited about this. Now, one of the
21 things that I've been trying to do is to be a resource for

1 our programs. So that every place I speak I give out my
2 card, I give out my contact name, my E-mail, so that anybody
3 with any of the programs who wants to call me can, and I'll
4 try to help them on their technology questions.

5 I also try to help them on coordinating what
6 they're doing. I'm going to Pennsylvania at the end of the
7 month with John Eidleman to help them plan out a regional
8 system for intake, but when they were getting together the
9 preliminary information on this, they called me to see if I
10 could refer them to some programs that have already done
11 this, so they could go make on-site visits, which I did and
12 got input back on the ones that they found very helpful.

13 They haven't really had a central resource for this
14 type of information, and I want for them to look to LSC as
15 the first place they go to when they need help on technology.

16 Someplace they can turn to. We're going to be expanding the
17 section on technology on the Web site, so that whereas most
18 of the last year we've had one paper up there on the Y2K
19 problem, working with Ted, we're going to have a whole
20 section on technology. And I've got approval to hire
21 an intern that's not going to be a legal intern but someone

1 who knows how to work on Web sites, and we're going to expand
2 the technology section. So that when our programs have a
3 question on technology and they want to see where to start,
4 they can come to us. Before they've had to go to Julia's Web
5 site, because it's much better than ours on technology.

6 I mean, she's got a great site out there, and not
7 that I don't think they should go to her site. I just -- a
8 little jealousy there. I'd like to see our site expanded a
9 little bit too. And where they've done something, I'll put
10 them over to there. I'm not going to recreate what they've
11 been doing.

12 We've done a lot to help programs. Now, you've
13 heard also about the problems we've had with the CSRs. I'm
14 working with a committee to revise the CSR handbooks, and one
15 of the things that I've been trying to do as we focus this
16 committee is look to how we can use the case-management
17 software that our programs are using to do their intake and
18 to report the statistics to us. How we can build safeguards
19 into this software so it's going to make it where the data is
20 more accurate.

21 And everybody here has been very cooperative with

1 that, and as soon as the CSR handbook is done, we're going to
2 do case-management-software standards and working with major
3 vendors that do this. Get them to implement this. So that
4 everybody's life will be a lot easier. That's what software
5 there is to be a tool. And so if we can make it more user
6 friendly and make it easier for them to get the information
7 that we need and get it accurately, then I think we should be
8 using that tool.

9 In that regard we're going to be putting on with
10 Julia and the project at the ABA Equal Justice Conference in
11 April we're going to be putting on a pre-conference on case-
12 management software, because we want -- although we want it
13 to be accurate in reporting the information to Legal
14 Services, we also want it to be more of a tool for the
15 advocates in helping our clients.

16 Right now -- at least the way I have seen it is
17 that case-management software has been fueled by doing intake
18 and getting the CSR information to LSC. But if you look in
19 the private legal sector, case-management software is a lot
20 more than that with helping the advocates manage the case, to
21 prepare the case, to be ready when they go into court, and

1 we've lagged behind in Legal Services in having those types
2 of tools available for our advocates.

3 And I'm very interested in bringing together a big
4 group of people, including the advocates that use this, to
5 that conference, so that we can get input on how can this be
6 shifted so that it does what we need to do for reporting but
7 it also helps in our representation of our clients. And I'm
8 really excited about doing that.

9 Another thing that I've been doing is I always
10 thought that LSC should try to help our programs as much as
11 we can. We can't always find money to give them, but maybe
12 if we can save them money it will be to have the same effect.

13 I've worked out a tentative agreement with two legal
14 research sources, one called Lexis, which you've probably
15 heard about, and another small one called Lois to offer their
16 services to our programs at fees that are lower than what
17 they've normally been offering these.

18 For example, Lois normally offers the program --
19 it's like \$98 a month. They've agreed to do it for \$49 a
20 month for any of the LSC programs. Julia asked me if I would
21 get in touch with the places and see if they would also

1 extend this to NLADA members, and so I contacted both of
2 those, and I've pitched this to them, and, I think, that they
3 will agree to that. So that not only will these reduced fees
4 be available for the LSC, but also for any member of NLADA.

5 I've also been talking with West about doing the
6 same thing, although it's a little harder to find somebody in
7 West that can make a decision. And I've also been talking
8 with New Horizons, which is a national firm that does
9 computer training, because another thing that I think is very
10 important is not just getting hardware on desk but in
11 teaching our staff to use these to the fullest advantage.

12 And I've accused many Legal Services programs -- of
13 the training program in Legal Services for computer training
14 is how to open a box knife so that you can get the box open
15 and put it on the desk and that's where we stop, and I don't
16 believe in that. And so I want to see if New Horizons will
17 extend an offer to us so that we can get reduced prices for
18 training. They offer training in all types of computer
19 applications nationwide, so that our advocates, our staff,
20 can get in and get the training that they need to.

21 MS. FAIRBANKS-WILLIAMS: Now, would this be

1 training in repair or minor repairs things, as well?

2 MR. RAWDON: No. This is training in how to use
3 the applications on the software. This would be things like
4 how to use Word, how to use Word Perfect, how to use Excel.
5 This is actually training in the software on the computers
6 themselves. This isn't training on the repairs.

7 Now, looking to the future, I've got a few things
8 here. One of the technical-assistance grants that we did was
9 for Orange County with John Tull. Many of you know John
10 Tull. To help the Orange County project. Bob Cohen is very
11 ambitious in what he wants to do in extending pro se
12 materials to our clients over the Web.

13 And all of this costs money, so we were able to
14 provide a technical assistance to Orange County by hiring
15 John Tull to look to put together a package for this where we
16 can go out and find the money to help them do this. We can't
17 give them the money, but if we can help them find the money,
18 then that's going to be very useful.

19 North Carolina is also being very innovative.
20 They're putting together a case-management system that will
21 be based entirely over Web software, so that you won't have

1 to have a special package. You can do it from any machine,
2 which will include the pro bono attorneys or anyone, and
3 they've invited us to participate on that. And so we're
4 participating in that, as well.

5 And then also Julia talked to you about the IMAG
6 Group, which is going to try to put together access of
7 information, making it easier for our advocates and for our
8 clients to find this information. There's lots of good
9 information out there, but it's in a myriad of different
10 places, and if we can make a central location to make this
11 more accessible, then that's going to be very important.

12 And I feel very privileged that Julia invited me to
13 participate in this group. So we're moving on lots of
14 different fronts. We're getting to do -- I'm getting to do
15 lots of different, exciting things on this. And so I'm not
16 going to Tennessee. I can't think of a place that would be
17 more exciting than in this position right now with the moving
18 forward on technology. So, again, I want to thank you.

19 MR. ASKEW: Thank you. Nancy.

20 MS. ROGERS: Being someone who doesn't understand
21 the technology, I wonder if you have assessed some of the

1 Web-based programs that we've seen like the one from Pine
2 Tree and Seattle and decided what are the essential -- really
3 fine parts of those -- and whether it's possible for LSC to
4 do a kind of a template that makes the next state development
5 of a program like that a lot easier?

6 MR. RAWDON: Yes. In fact, if you see the first
7 thing on preparing the manual on state planning, one of those
8 sections will be entirely on setting up a statewide Web site
9 and incorporating the things like what Pine Tree has on
10 theirs. And I work with Hugh all the time on different
11 sections, and he's been very helpful in coming together with
12 us on suggestions and all that.

13 So, yes, I intend for us to come up with a model
14 that they can follow so that they don't have to
15 -- Minnesota has just finished doing this process. So we're
16 going to incorporate things that Minnesota has learned into
17 this manual, as well. So the states that have been
18 successful in this effort already we want to incorporate what
19 they've learned into one resource, and then distribute it to
20 all of our programs.

21 I'm not saying you have to follow this, but if

1 you'd like to see what's worked in other states and -- not
2 only just tell them in general terms but, specifically, you
3 know, have a committee that does this, and it will probably
4 take you this long to do this. It will probably cost you
5 this much for a consultant to do that. So they can actually
6 budget from this. Then I think that will be very useful to
7 them.

8 MR. ASKEW: Maria? No. Anything else?

9 MS. ROGERS: I'm sorry, Bucky.

10 MR. ASKEW: That's all right.

11 MS. ROGERS: One of the proposals I've heard people
12 talk about in Ohio is the proposal to make the Legal Services
13 Web site the same Web site as for the bar as a whole or to
14 make it a part of a for-profit Web site. And I wonder if you
15 have thought -- I'm sure you have thought through the
16 advantages and disadvantages of those kinds of combinations,
17 and I wonder what you --

18 MR. RAWDON: If you want my honest opinion, I like
19 it where the Legal Services Web site is its own Web site in
20 the particular state, but not that each program has to have
21 its own Web site. I've seen proposals to put them in with

1 the bar's Web sites, but I don't know. I think that
2 something gets lost in that. You know, that's just my
3 opinion.

4 I've liked the ones like Pine Tree whether
5 everything for the whole state is in one central Web site.
6 What I'd really like to see, though, is Julia's concept to
7 come to fruition where that there's one national Web site
8 that then incorporates all of the 50 statewide Web sites. So
9 that a client logs onto the Web and they say, "What do you
10 want?" And they say, "I want legal assistance." They say,
11 "What's your Zip code?" And, boom, it moves you over to show
12 you all the legal resources.

13 LSC and non-LSC funded sources altogether for that
14 particular problem area in that particular Zip code. I don't
15 know if you've seen a program out of Ohio that you were
16 talking about. Have you seen the Sophia program there?

17 MS. ROGERS: No.

18 MR. RAWDON: This is one that is funded by TIAP,
19 and is now running -- I believe it's in the Dayton area, and
20 it's all the LSC programs, non-LSC programs, all the social-
21 service agencies all in one resource there. So when someone

1 calls in, anybody can refer them to the proper agency in that
2 whole area, and it's really impressive.

3 And I would like to see those types of efforts
4 replicated on statewide bases so that our clients aren't just
5 helped with legal problems. It's a more holistic approach,
6 so that any type of problem that they're having they can
7 quickly get to someone that can help them with it.

8 MR. ASKEW: Thank you very much, Glenn. We've
9 heard very good things about the work you're doing, the skill
10 you've brought. Clearly, you're enthusiastic, which is very
11 nice to see. You're also a man of great wisdom, because I
12 noticed you associated yourself with Ted Faris, which
13 everybody -- Julia did, as well. Which everybody seems to be
14 trying to do today. Thank you very much.

15 MR. RAWDON: Thank you.

16 MR. ASKEW: Any other business before the
17 committee?

18 Any public comment? Anybody brave enough to make a
19 public comment?

20 Lunch is in the IG's conference room on the 11th
21 floor on the other side from the executive office. Motion to

1 adjourn. Thank you very much for participating today.

2 (Whereupon, at 2:30 p.m., the committee was

3 adjourned.)

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